

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Frontier )  
North Inc. for Temporary Waiver of Ohio ) Case No. 11-2571-TP-WVR  
Administrative Code 4901:1-6-19(Q) )

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**MOTION OF FRONTIER NORTH INC. FOR TEMPORARY  
WAIVER OF OHIO ADMINISTRATIVE CODE 4901:1-6-19(Q)**

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In accordance with Ohio Adm.Code 4901:1-6-02(E), Frontier North Inc. ("Frontier") hereby moves for a temporary waiver from the provisions of Ohio Adm.Code 4901:1-6-19(Q) ("Rule 19(Q)"), which provides that an ILEC ETC establishing a customer billing surcharge to recover its lifeline expenses may not include the surcharge on the bill in a section reserved for taxes and government-mandated charges. Frontier's current billing system, which was replicated from the Verizon North Inc. ("Verizon") billing system in conjunction with Frontier's acquisition of Verizon,<sup>1</sup> cannot accommodate the requirements of Rule 19(Q) without the expenditure of significant time and expense to make the necessary system modifications. In calendar year 2012, Frontier plans to migrate customers in Ohio from the Verizon-replicated billing system to Frontier's existing billing system that it currently uses to serve more than 2 million customer access lines across the country. The Frontier billing system will allow Frontier to comply with the requirements of Rule 19. Accordingly, Frontier

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<sup>1</sup> *In the Matter of the Joint Application of Frontier Communications Corporation, New Communications Holdings, Inc., and Verizon Communications Inc. for Consent and Approval of a Change in Control*, Case No. 09-454-TP-ACO (Opinion and Order, February 11, 2010) (hereinafter, "Case No. 09-454").

respectfully requests that the Commission grant it a temporary waiver from the obligations of Rule 19(Q).

The bases for this Motion are more fully set forth in the attached Memorandum in Support.

Respectfully submitted,

FRONTIER NORTH INC.

/s/ Carolyn S. Flahive

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**MEMORANDUM IN SUPPORT OF MOTION FOR TEMPORARY WAIVER  
OHIO ADMINISTRATIVE CODE 4901:1-6-19(Q)**

Frontier seeks a temporary waiver of the obligations of Ohio Adm.Code 4901:1-6-19(Q) ("Rule 19(Q)"), which requires that an ILEC ETC choosing to establish a customer billing surcharge to recover its lifeline expenses identify the surcharge on the bill in a section other than the section reserved for taxes and government-mandated charges. Since Frontier's acquisition of Verizon, Frontier has used the Verizon-replicated operational systems, including customer ordering and billing, to service Ohio customers. In an attempt to implement the requirements of Rule 19(Q), Frontier has evaluated the Verizon-replicated systems and determined that the billing system currently does not have the capability, without substantial bill modification and significant time and expense, to include the lifeline surcharge in a section of the bill other the section reserved for taxes and government-mandated surcharges.

In calendar year 2012,<sup>2</sup> Frontier plans to migrate customers in Ohio from the Verizon-replicated billing system to Frontier's existing billing system that it currently uses to serve more than 2 million customer access lines across the country, including the Frontier legacy customers in Ohio. Frontier will control the Frontier billing systems and will be able to implement the requirements of Rule 19 and bill the lifeline surcharge in a

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<sup>2</sup> The exact date and timing for completing the conversion of customers in Ohio from the Verizon-replicated systems to Frontier's systems has not yet been identified. However, in accordance with the requirements included in the PUCO's Order in Case No. 09-454, Frontier will provide 180 days prior written notice to the Commission and competitive local exchange carriers before the conversion occurs.

section of the Frontier bill other than the section of the bill used to identify taxes and government-mandated surcharges. In contrast, implementing system changes to the Verizon-replicated billing system to comply with Rule 19(Q) would require Frontier to incur expenditures and make significant changes to the billing system that Frontier does not control and which would only be used for a limited period of time until Frontier implements the planned system conversion in 2012.

The Commission may, upon motion for good cause shown, waive any requirement of Ohio Adm.Code 4901:1-6, other than a requirement mandated by statute from which no waiver is permitted.<sup>3</sup> Ohio Revised Code Section 4927.13(D) explicitly gives the Commission discretion to determine how a Lifeline surcharge may appear on customer bills:

(D) An incumbent local exchange carrier required to implement lifeline service under division (A) of this section may recover from end users of the carrier's telecommunications service other than lifeline service customers, by a method approved by the public utilities commission, any lifeline service discounts and any other lifeline service expenses that the public utilities commission prescribes by rule and that are not recovered through federal or state funding, except for expenses incurred under division (A)(3)(a) of this section. A carrier seeking recovery of discounts or expenses shall, in accordance with rules adopted by the public utilities commission, apply to the public utilities commission for approval of the method of recovery. **If the method of recovery includes a customer billing surcharge, the public utilities commission shall prescribe by rule how the surcharge is to be identified on customer bills.** (Emphasis added.)

If the Commission grants its Motion, Frontier will make a separate tariff filing in accordance with Ohio Revised Code Section 4927.13(D) prior to implementing the surcharge.

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<sup>3</sup> Ohio Adm.Code 4901:1-6-02(E).

For the foregoing reasons, Frontier respectfully requests that the Commission grant a waiver of the obligations of Ohio Adm.Code 4901:1-6-19(Q) until December 31, 2012.

Respectfully submitted,

FRONTIER NORTH INC.

/s/ Carolyn S. Flahive

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Summary: Motion for Temporary Waiver electronically filed by Carolyn S Flahive on behalf of Frontier North Inc.