

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT AND
INVESTIGATION OF STAFF OF THE PUBLIC
UTILITIES COMMISSION OF OHIO,**

COMPLAINANT,

CASE NO. 19-1582-TP-COC

v.

FRONTIER NORTH, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on February 12, 2020

{¶ 1} R.C. 4927.21 states that any person or the Commission may initiate a complaint against a telephone company alleging that any rate, practice, or service of the company is unjust, unreasonable, unjustly discriminatory, or in violation of or noncompliance with any provisions of R.C. 4927.01 to 4927.20 or a rule or order adopted or issued under those sections.

{¶ 2} Frontier North, Inc. (Frontier or Company) is a telephone company pursuant to R.C. 4905.03 and 4927.01 and is, therefore, subject to the Commission's jurisdiction.

{¶ 3} On August 14, 2019, the Commission initiated this case based upon an August 13, 2019 Commission Staff (Staff) letter outlining a number of alleged violations of the Ohio Revised Code and the Ohio Administrative Code by Frontier regarding the basic local exchange service (BLES) being provided to its customers throughout Ohio.¹ Specifically, the Staff letter outlines issues concerning extended outage restoral timeframes and repeat trouble tickets that would seriously hamper the customers' ability to place outbound calls including calls to 911 and emergency service providers. The Commission found that Staff had provided sufficient justification in the August 13, 2019 letter for the opening of a complaint and investigation proceeding. Accordingly, Staff was directed to file a complaint

¹ The Commission directed its docketing division to file a copy of the August 13, 2019 Staff letter in the instant docket.

in this matter as soon as practicable and Frontier was directed to file an answer to the complaint within 20 days of service of the complaint.

{¶ 4} The complaint was filed on August 14, 2019.

{¶ 5} On September 9, 2019, Frontier filed its answer to the complaint admitting to some and denying other allegations set forth in the complaint. Among other things, Frontier recognizes that it has had customer service complaints related to its BLES service and that it has not been able to restore BLES service for all its customers within 72 hours. While Frontier believes that it is in material compliance with Ohio law, the company indicated that it has recently undertaken numerous actions to improve the service it is providing to customers, especially BLES customers that are out of service.

{¶ 6} By Entry issued January 14, 2020, the attorney examiner established the procedural schedule for this matter including a hearing to begin on April 1, 2020, at 10:00 a.m. at the offices of the Commission and an intervention deadline of January 27, 2020. The January 14, 2020 Entry also granted intervention to the Ohio Consumers' Counsel.

{¶ 7} On February 4, 2020, the Communications Workers of America, AFL-CIO (CWA) filed a motion for leave to intervene in this proceeding pursuant to R.C. 4903.221(A)(2) and (B). CWA requests intervention to provide the Commission with pertinent fact witnesses, including service and installation employees, with direct knowledge of issues identified by the Commission for investigation in this matter.

{¶ 8} Ohio Adm.Code 4901-1-12(B) states, in relevant part, that any party may file a memorandum contra within 15 days after the service of a motion, or such other period as the Commission, the legal director, the deputy legal director, or the attorney examiner requires. Further, any reply memorandum is due seven days after service of the memorandum contra unless otherwise required.

{¶ 9} Upon review and under the authority of Ohio Adm.Code 4901-1-12(B), the attorney examiner determines that any memorandum contra to CWA's motion for leave to

intervene must be filed in the docket by 12 p.m. on February 18, 2020 and any reply to a memorandum contra is due by 12 p.m. on February 21, 2020.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the responsive time frames outlined in Paragraph 9 apply to the CWA's motion for leave to intervene in this matter. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jeffrey R. Jones

By: Jeffrey R. Jones
Attorney Examiner

MJA/mef

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in

Case No(s). 19-1582-TP-COC

Summary: Attorney Examiner Entry setting responsive time frames for the motion for leave to intervene. electronically filed by Ms. Mary E Fischer on behalf of Jeffrey R. Jones, Attorney Examiner, Public Utilities Commission of Ohio