

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 March 26, 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

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

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

{¶ 4} Staff filed its complaint 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 recognized 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 believed 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, and an intervention deadline of January 27, 2020. The January 14, 2020 Entry also granted intervention to the Ohio Consumers' Counsel (OCC).

{¶ 7} By Entry dated February 21, 2020, the attorney examiner denied a motion for leave to intervene in this proceeding, which was filed by the Communications Workers of America, AFL-CIO.

{¶ 8} On February 28, 2020, OCC filed a motion to extend the procedural schedule and requested expedited consideration pursuant to Ohio Adm.Code 4901-1-12(C). In the motion, OCC requested that testimony be due after a settlement is filed on March 25, 2020, and a three-week extension of both the testimony due date and the hearing date.

{¶ 9} By Entry dated March 6, 2020, the attorney examiner granted OCC's motion, directed parties to file testimony by April 15, 2020, and set dates for a telephonic prehearing conference and a hearing.

{¶ 10} On March 23, 2020, Frontier filed a motion to extend the procedural schedule. In the motion, Frontier states that, on March 9, 2020, the Governor of the State of Ohio declared a State of Emergency with Executive Order 2020-01D to protect the well-being of Ohio citizens from the dangerous effects of COVID-19. Further, Frontier states that, pursuant to Ohio Adm.Code 4901-1-13(A), extensions of time may be granted for good cause. Because of the ongoing COVID-19 pandemic, Frontier requests the Commission to extend remaining deadlines by 90 days. Finally, Frontier indicates that Staff and OCC do not oppose its motion and do not oppose an expedited ruling pursuant to Ohio Adm.Code 4901-1-12(C).

{¶ 11} Upon review, the attorney examiner finds that Frontier's motion is reasonable and should be granted. Consequently, the attorney examiner directs parties to file a stipulation, if any, by June 24, 2020, and testimony by July 8, 2020. A telephonic prehearing conference will be conducted on July 15, 2020, at 10:00 a.m. The attorney examiner will provide counsel for the parties the conference telephone number information via e-mail at a later date. Further, the hearing in this matter is rescheduled to begin on July 20, 2020. The hearing will begin at 10:00 a.m., at the offices of the Commission, 11th Floor, Hearing Room 11-C, 180 East Broad Street, Columbus, Ohio 43215. All parties or interested persons should register at the lobby desk and then proceed to the 11th floor in order to participate in the proceeding.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That Frontier's March 23, 2020 motion to extend the procedural schedule be granted. It is, further,

{¶ 14} ORDERED, That the procedural schedule be amended as further identified in Paragraph 11. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Anna Sanyal

By: Anna Sanyal
Attorney Examiner

SJP/kck

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in

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

Summary: Attorney Examiner Entry Ordering Frontier's 3.23.20 motion to extend the procedural schedule be granted; the AE directs the parties to file a stipuation by 6.24.20 and testimony by 7.15.20 at 10 a.m.; the AE will provide the call informtion at a later date; hearing is re-scheduled to 7.20.20 at 10:00 a.m. electronically filed by Mrs. Kelli C King on behalf of Anna Sanyal, Attorney Examiner, Public Utilities Commission of Ohio