

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of  
Frontier North, Inc. to add a New  
Service to its Tariff.

Case No. 10-1419-TP-ATA

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**THE VILLAGE OF MINSTER, OHIO'S NOTICE OF WITHDRAWAL OF COMMENTS  
AND OBJECTIONS**

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Pending before the Commission is the amended application of Frontier North Inc. ("Frontier") to include within its tariff two sentences addressing liability for costs in the event of requests by third parties for relocation underground of existing communications facilities. On October 21, 2010, the Village of Minster, Ohio ("Minster") filed Comments and Objections in these Commission proceedings on Frontier's tariff amendment application. On November 1, 2010, Minster moved to intervene in these proceedings. Frontier responded to that motion on November 16, 2010, noting that it did not object to Minster's intervention, provided (a) that the Commission limited Minster's intervention solely to the general applicability of the tariff provision in question, and (b) that the applicability of the tariff provision to the Village, or to a particular project, be considered in a separate Complaint proceeding before the Commission under R.C. 4905.26. Minster did not reply.

After further consultation, Frontier and Minster hereby notify the Commission of the following events since Frontier's filing of the aforementioned response memorandum on November 16, 2010.

First, the state court litigation between Minster and Frontier (*Village of Minster v. Frontier North Inc. f/k/a Verizon North Inc.*, Auglaize County, Ohio Court of Common

Pleas, Case No. 2010 CV 0200), which was referenced in Minster's Comments and Objections, has been resolved by mutual agreement.

Second, Minster no longer objects to the Commission's approval of the Frontier tariff amendment, and affirmatively supports such approval.

Respectfully submitted,

VILLAGE OF MINSTER, OHIO

By: James F. Hearn by  
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per authority

Attorney for Village of Minster

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via electronic mail on the parties listed below on this 28<sup>th</sup> day of February, 2011.

By: James F. Hearn JB  
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