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June 11, 2015

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Verizon North LLC and Verizon Pennsylvania LLC Petition for Reclassification
Docket Nos.: P-2014-2446303 and P-2014-2446304

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Comments of Full Service Network, LP to the Tentative Implementation Opinion and Order Entered June 1, 2015 with regard to the above-referenced matter.

Sincerely,



Deanne M. O'Dell

DMO/lww
Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC COMMISSION**

Verizon North LLC and Verizon	:	Docket No. P-2014-2446303
Pennsylvania LLC Petition for	:	Docket No. P-2014-2446304
Reclassification	:	

**COMMENTS OF FULL SERVICE NETWORK, LP
TO TENTATIVE IMPLEMENTATION OPINION AND ORDER
ENTERED JUNE 1, 2015**

In its Tentative Implementation Opinion and Order (“Tentative Order”) entered June 1, 2015, the Pennsylvania Public Utility Commission (“Commission”) provided clarification regarding certain matters related to its March 4, 2015 Opinion and Order (“Reclassification Order”) which granted, in part, the Petition of Verizon Pennsylvania LLC (“Verizon PA”) and Verizon North LLC (“Verizon North”) (collectively, “Verizon”) to reclassify as competitive retail services in specific wires centers. Full Service Network, L.P. (“FSN”) is a wholesale customer of Verizon that purchases products from Verizon and then resells those products to retail customers. As such, FSN offers retail customers a competitive landline alternative to Verizon. FSN has been an active participant in this proceeding and offered recommendations intended to foster the long-term availability of resold services. In its Reclassification Order, the Commission recognized the importance of resale by directing Verizon to provide wholesale customers the same thirty days’ advance notice of retail price changes that it provides to retail customers.¹

In the Tentative Order, the Commission recognizes that Verizon’s Product Guide will become “the governing document to memorialize the terms and conditions of stand-alone basic local telephone service in competitive wire centers.”² Consistent with this, Verizon PA filed compliance tariffs on June 1, 2015 removing 77 exchanges and wire centers from its current

¹ Reclassification Order at 66.

² Tentative Order at 3.

tariffs. Similarly, Verizon North filed compliance tariffs on June 1, 2015, removing 21 exchanges and wire centers from its current tariffs. The Product Guide will replace Verizon's tariffs as the public document setting forth the terms and conditions of its telephone service in these 98 exchanges and wire centers.

As such, care must be taken to ensure that affected customers (both retail and wholesale) have adequate and reasonable notice of changes to the terms and conditions set forth in the Product Guide related to service in these exchanges and wire centers. While the Tentative Order directs Verizon to notify the Commission's Bureau of Technical Utility Services ("TUS") and Bureau of Consumer Services ("BCS") at least ten days in advance of any changes to the Product Guide and to provide TUS and BCS with electronic copies of the changed Product Guide pages,³ it does not provide any direction regarding how the affected customers (both retail and wholesale) will receive notice of the changes. Providing only Commission staff advance notice of future changes does not directly or timely assist impacted customers (retail and wholesale). To address this, FSN recommends that the final order require Verizon to provide retail and wholesale customers the same 10-day notice of changes to the Product Guide it is required to provide Commission staff either through direct notice or by filing the changes with the Commission. This modification of the Tentative Order is essential given the nature of the Product Guide and its increased importance to both retail and wholesale customers resulting from the Reclassification Order.

As set forth in the undisputed record in this proceeding, Verizon's Product Guide is voluminous,⁴ Verizon does not designate changed materials when reposting the Product Guide on its website, there are times when the Product Guide is not available on the website, and there

³ Tentative Order at 6.

⁴ Verizon's Product Guide contains approximately 1,300 pages, consists of fifty-two sections and numerous subsections, each of which is posted in a separate file for a total of 103 files. FSN St. No. 1 at 10.

is no reasonable assurance that the information gleaned from looking at the Product Guide every day and comparing it to the prior day's document is accurate or up-to-date.⁵ Thus, if Verizon is not required to provide direct notice to customers (retail and wholesale) or to at least file with the Commission the notice it provides to Commission staff, there is no practical way for affected customers to have any notice of changes to the terms and conditions of service once these products are no longer governed by Verizon's publicly filed tariffs. Such a result is not reasonable nor in the public interest.

Customers are entitled to accurate and timely information about changes regarding the terms and conditions of service so that they can assess the value of the product and make decisions based on full disclosure. This applies equally to wholesale customers like FSN because changes to the terms of the services offered by Verizon impact FSN's provisioning of these products to FSN's retail customers.⁶ The Commission has remained steadfast regarding the right of customers to have notice about the terms and conditions of products from competitive entities even though they are not regulated as public utilities. For example, just last year, the Commission adopted very specific customer disclosure requirements that competitive electric suppliers must provide customers prior to making any changes in contractual terms of service.⁷ Similar to this proceeding, the prices offered by electric generation suppliers are not regulated by the Commission but the Commission retains authority to regulate the aspects of services provided by the suppliers.⁸ Thus, directing Verizon to provide notice to customers (retail and

⁵ FSN St. No. 1 at 11.

⁶ See FSN Main Brief at 9 ("When Verizon implements a price or product change to a resale offering, this will impact the product FSN customers are currently using on a resale basis. If FSN is unaware of the changes and cannot timely respond to them for the benefit of the existing retail customer, then the likelihood of FSN losing the customer is increased. This is because the FSN customer is not likely to receive any advance notice of changes because FSN itself has no advance notice to offer the customer.").

⁷ *Rulemaking to Amend the Provisions of 52 Pa. Code, Section 54.5 Regulations Regarding Disclosure Statement for Residential and Small Business Customers and to Add Section 54.10 Regulations Regarding the Provision of Notices of Contract Expiration or Changes in Terms for Residential and Small Business Customers*, Docket No. L-2014-2409385, Final-Omitted Rulemaking Order entered April 3, 2014 at 28-39.

⁸ *Commonwealth of Pennsylvania, et al. v. Blue Pilot energy, LLC*, Docket No. C-2014-2427655, Opinion and Order entered December 11, 2014 at 19.

wholesale) when Verizon makes changes to the terms of service for competitive products is consistent with the requirements imposed on other competitive entities.

For these reasons, therefore, FSN recommends that the Commission's final implementation order direct Verizon to provide retail and wholesale customers the same 10-day notice of changes to the Product Guide it is required to provide Commission staff either through direct notice to the customers or by filing the changes with the Commission. While direct notice would be preferred, requiring Verizon to file the advance notice with the Commission would at least provide some ability for customers to research the Commission's docket and be advised of changes to their terms and conditions.



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