

GIANGRIECO LAW, PC

MICHAEL J. GIANGRIECO
ROBERT J. HOLLISTER

60 PUBLIC AVENUE
P.O. BOX 126
MONTROSE, PA 18801-0126
WEBSITE
GIANGRIECOLAW.COM

TELEPHONE
570-278-4026
FACSIMILE
570-278-4662

July 6, 2018

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

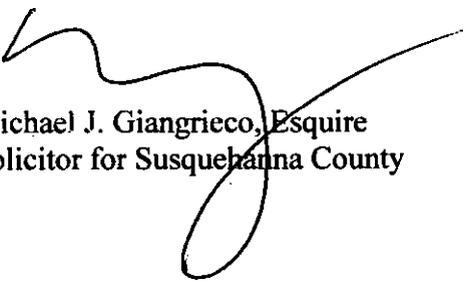
Re: *Susquehanna County Commissioners v. Frontier Communications;*
No. C-2018-3001343.

Dear Secretary Chiavetta:

Please find enclosed an original and one copy of Susquehanna County's Answer to New Matter. Please file the original and return a time-stamped copy to me in the enclosed self-addressed, stamped envelope.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very truly yours,


Michael J. Giangrieco, Esquire
Solicitor for Susquehanna County

MJG/jw
Enclosure
cc: Charles E. Thomas, III, Esquire

RECEIVED
2018 JUL 10 PM 2:57
PA PUC
SECRETARY'S BUREAU

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Susquehanna County Commissioners, : Docket No. C-2018-2001343
c/o Martin Kane, :
Complainant :
v. :
Frontier Communications, :
Respondent :

RECEIVED
2018 JUL 10 PM 2:57
PA PUC
SECRETARY'S BUREAU

SUSQUEHANNA COUNTY COMMISSIONERS'
ANSWER TO NEW MATTER

Complainant, Susquehanna County Commissioners, by and through its attorney, Michael J. Giangrieco, Esquire, Giangrieco Law, PC, hereby answers Respondent, Frontier Communications, New Matter as follows:

1. No response is required.
2. Denied. It is denied that at all times material hereto, Frontier furnished and maintained adequate, efficient, safe and reasonable service to Complainant and had adequate provisions for addressing service outages caused by commercial electric power supply interruptions. By way of further answer, not all backup systems provided worked and battery reserves are dead, and need to be replaced.
3. Denied. It is denied that Frontier's central offices serving exchanges exceeding 5,000 lines are equipped with stationary standby power facilities and equipment which include a minimum of three hours battery reserve. By way of further answer, not all standby power facilities and equipment work and at some locations, batteries are dead, and need to be replaced.
4. Complainant is without sufficient information to form a belief as to the truth or falsity of the averment in paragraph four (4) of the New Matter. Therefore the same is denied and strict proof is demanded at time of hearing. By way of further answer, to the extent an

answer is required, the same is denied. While Frontier may have available portable power units which can be delivered and connected to such facilities on short notice, they do not use them, and residents continue to be without telephone service for 911 at times it is needed the most.

5. Denied. It is denied that Frontier has taken reasonable measures, to the extent practicable, to deploy portable power units to its facilities in Susquehanna County in the event of emergencies, including interruptions to the commercial electric power supply. By way of further answer, the batteries are dead and must be replaced, and any other device Frontier has is not deployed in a timely manner to those outage areas that need them.

6. Denied. It is denied that Frontier has adequate and reasonable measures to meet emergencies, such as commercial power failures, and respond to customer trouble reports consistent with its obligations under Section 1501 of the Public Utility Code, 66 Pa.C.S. §1501, and the Commission's regulations at 52 Pa. Code §§53.14 and 63.57. By way of further answer, in the event Frontier has adequate and reasonable measures to meet emergencies, such as commercial power failures, and respond to customer trouble reports as appearing hereinabove, Frontier may have such measures, but they do not use them, and the battery backup systems at some locations are dead and need to be replaced.

7. Complainant is without sufficient information to form a belief as to the truth or falsity of the averment in paragraph seven (7) of the New Matter. Therefore the same is denied and strict proof is demanded at time of hearing. By way of further answer, to the extent an answer is required, the same is denied.

8. Complainant is without sufficient information to form a belief as to the truth or falsity of the averment in paragraph eight (8) of the New Matter. Therefore the same is denied and strict proof is demanded at time of hearing. To the extent an answer is required, the same is

denied. While Frontier may use 60 kW and 7 kW portable power generators to respond to customer trouble reports caused by commercial power failures, such generators do not get used in a power outage in parts of Susquehanna County, in a timely manner and residents continue to be without emergency 911 service at a time it is needed the most, or the battery backup systems at these locations are dead and need to be replaced.

9. Complainant is without sufficient information to form a belief as to the truth or falsity of the averment in paragraph nine (9) of the New Matter. Therefore the same is denied and strict proof is demanded at time of hearing. By way of further answer, while Frontier may have elected to augment the number of portable generators being stored directly in Susquehanna County in order to provide added comfort to the County and as a gesture of good will and willingness to work cooperatively with Complainant, Frontier doesn't use such equipment in a timely manner and residents continue to be without emergency 911 service at a time it is needed the most, or the battery backup systems at these locations are dead and need to be replaced.

10. Complainant is without sufficient information to form a belief as to the truth or falsity of the averment in paragraph ten (10) of the New Matter. Therefore the same is denied and strict proof is demanded at time of hearing. By way of further answer, while Frontier may have confirmed that it has an ample supply of standby power ready for deployment in the counties adjoining Susquehanna County should the need arise, which complements the standby power available throughout its service areas in both Pennsylvania and New York State-extensive additional resources that can be called upon, if needed, it does not get used in a timely manner and residents continue to be without emergency 911 service at a time it is needed the most, or the battery backup systems at these locations are dead and need to be replaced.

11. Complainant is without sufficient information to form a belief as to the truth or falsity of the averment in paragraph eleven (11) of the New Matter. Therefore the same is denied and strict proof is demanded at time of hearing.

12. Complainant is without sufficient information to form a belief as to the truth or falsity of the averment in paragraph twelve (12) of the New Matter which indicates that Frontier shares frustration with the unreliability of the commercial electric power supply in Susquehanna County, a matter over which it has no control and that telecommunications equipment, especially backup batteries, are a poor substitute for the commercial electric grid. It is denied that no amount of investment in or deployment of standby power can successfully counteract the effects of an underperforming commercial power supply. By way of further answer, Frontier does have control over having adequate updated backup batteries at its locations that work and that residents have emergency 911 service at a time it is needed the most during a power outage.

13. No response is required.

14. Denied. It is denied that at all times material hereto, Frontier has acted in good faith and in conformance with the Commission's regulations to provide safe, adequate, and reliable service to its customers and has worked diligently to balance this commitment with the challenges of the intermittent and unstable commercial power supply in Susquehanna County-a matter wholly outside of Frontier's control and that Frontier will continue to do so in the future despite these challenges. By way of further answer, the residents of Susquehanna County continue to be without telephone service at a time when it is most crucial to have it to be able to call 911 in an emergency situation when power is out as indicated by reported lack of service on Exhibit "A" attached hereto, and is cured by merely replacing the dead batteries with good working batteries.

15. Denied. It is denied that this matter should be administered through mediation between the parties and that this matter should be transferred to the Commission's Mediation Unit for further processing. Rather, it is respectfully requested the Pennsylvania Public Utility Commission order Frontier to replace the dead batteries at all facilities in Susquehanna County that currently do not work.

WHEREFORE, Susquehanna County respectfully requests that the Pennsylvania Public Utility Commission dismiss the New Matter filed by Frontier at Docket No. C-2018-3001343, order Frontier to replace the dead batteries at facilities in Susquehanna County that currently do not work and grant such other relief as may be just and reasonable and consistent with the Public Utility Code.

Respectfully submitted,
GIANGRIECO LAW, PC

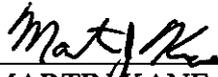
By: _____

MICHAEL J. GIANGRIECO, Esquire
PA Attorney ID No. 36007
P.O. Box 126 - 60 Public Avenue
Montrose, PA 18801
Telephone: (570) 278-4026
Counsel for Complainant

RECEIVED
2018 JUL 10 PM 2:59
PA PUC
SECRETARY'S BUREAU

VERIFICATION

I verify that the statements contained in the foregoing are true and correct and are made subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn statements to authorities.


MARTIN KANE

RECEIVED
2018 JUL 10 PM 2:57
PA PUC
SECRETARY'S BUREAU

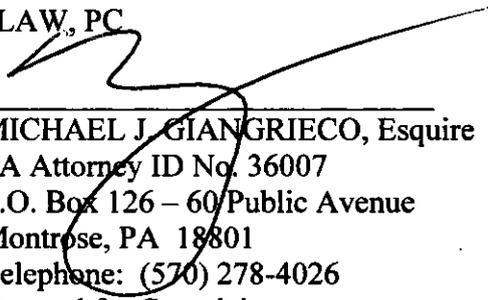
Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Susquehanna County Commissioners, : Docket No. C-2018-2001343
c/o Martin Kane, :
Complainant :
v. :
Frontier Communications, :
Respondent :

I hereby certify that on the 6th day of July, 2018, I served a true and correct copy of the foregoing document upon the parties listed below by first class mail, postage prepaid, in accordance with the requirements of 52 Pa. Code §211.54 (relating to service by a participant):

Charles E. Thomas, III, Esq.
Thomas, Niesen & Thomas, LLC
212 Locust Street, Suite 302
Harrisburg, PA 17101

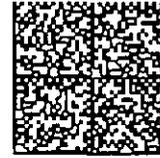
GIANGRIECO LAW, PC

By: 

MICHAEL J. GIANGRIECO, Esquire
PA Attorney ID No. 36007
P.O. Box 126 – 60 Public Avenue
Montrose, PA 18801
Telephone: (570) 278-4026
Counsel for Complainant

RECEIVED
2018 JUL 10 PM 2:57
PA PUC
SECRETARY'S BUREAU

GIANGRIECO LAW, PC
ATTORNEYS AT LAW
60 PUBLIC AVENUE
P.O. BOX 126
MONTROSE, PA 18801-0126



UNITED STATES POSTAGE

PITNEY BOWES
02 1P \$ 001.63⁰
0001827824 JUL 06 2018
MAILED FROM ZIP CODE 18801

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