

**FEDERAL COMMUNICATIONS COMMISSION**  
**Enforcement Bureau**  
**Market Disputes Resolution Division**  
**445 12<sup>th</sup> St., SW**  
**Washington, DC 20554**

**March 24, 2020**

Via E-Mail

Ms. Shirley Spunaugle  
Manager of Compliance and Assignment  
Pennsylvania Public Utilities Commission  
Commonwealth Keystone Building  
400 North Street  
2nd Floor, Room-N201  
Harrisburg, PA 17120  
[sspunaugle@pa.gov](mailto:sspunaugle@pa.gov)

**Re: *Verizon Pennsylvania LLC and Verizon North LLC v. Metropolitan Edison Company, Pennsylvania Electric Company, and Penn Power Company, Proceeding No. 19-354***

Ms. Spunaugle:

On March 19, 2020, the Federal Communications Commission (Commission) issued a Public Notice of the receipt of the Pennsylvania Public Utility Commission's (PA PUC) certification that it regulates the rates, terms, and conditions for pole attachments.<sup>1</sup> The Commission then issued the attached order transferring this proceeding pursuant to section 1.1405(d) of the Commission's rules.<sup>2</sup>

In order to facilitate the transfer of the above-referenced proceeding and its related filings (Commission Docket), we ask that the PA PUC open a proceeding into which the Commission can effectuate the transfer by eFiling the Commission Docket into the PA PUC proceeding.

If you have any questions or need additional information regarding this request, please contact Anthony DeLaurentis ([anthony.delarentis@fcc.gov](mailto:anthony.delarentis@fcc.gov)) who is coordinating our transfer efforts.

Thank you.

FEDERAL COMMUNICATIONS COMMISSION



Rosemary McEnery  
Division Chief, Market Disputes Resolution Division  
Enforcement Bureau  
Federal Communications Commission

Enclosure

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<sup>1</sup> States That Have Certified That They Regulate Pole Attachments, WC Docket 10-101, Public Notice, DA 20-302 (WCB Mar. 19, 2020).

<sup>2</sup> 47 CFR § 1.1405(d).

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Verizon Pennsylvania LLC and Verizon North LLC,
Complainants,
v.
Metropolitan Edison Company, Pennsylvania Electric Company, and Penn Power Company,
Defendants.
Proceeding Number 19-354
Bureau ID Number EB-19-MD-008

ORDER

Adopted: March 23, 2020

Released: March 23, 2020

By the Chief, Market Disputes Resolution Division:

- 1. On March 18, 2020, the Pennsylvania Public Utility Commission (PA PUC) certified to the Federal Communications Commission (Commission) pursuant to 47 U.S.C. § 224(c) that it:
(1) regulates the rates, terms, and conditions for pole attachments;
(2) in so regulating has the authority to consider and does consider the interests of the subscribers of the services offered via such attachments, as well as the interests of the consumers of the utility services; and
(3) has issued and made effective rules and regulations implementing the Commonwealth of Pennsylvania’s regulatory authority over pole attachments.1
2. On March 19, 2020, the Commission issued a Public Notice of the receipt of the PA PUC’s certification pursuant to section 1.1405(c) of the Commission’s rules.2 Pursuant to section 1.1405(d) of the Commission’s rules,3 this proceeding is hereby transferred to the PA PUC.4 As a result, the Commission no longer has jurisdiction over this matter, and all future communications regarding this case should be directed to the PA PUC.

1 Letter from Renardo L. Hicks, Chief Counsel, PA PUC, to Marlene Dortch, Secretary, FCC, States That Have Certified That They Regulate Pole Attachments, WC Docket No 10-101 (filed Mar. 18, 2020).

2 States That Have Certified That They Regulate Pole Attachments, WC Docket 10-101, Public Notice, DA 20-302 (WCB Mar. 19, 2020).

3 47 CFR § 1.1405(d)

4 Accordingly, the Commission will forward all pleadings filed to date, including all discovery requests and responses and Commission rulings and orders, to the PA PUC.

3. Accordingly, **IT IS HEREBY ORDERED**, pursuant to sections 1, 4(i), 4(j), 208, and 224 of the Act, 47 U.S.C. §§ 151, 154(i), 154(j), 208, 224, and sections 1.3, 1.720-1.740 and 1.1401-1415 of the Commission's Rules, 47 CFR §§ 1.3, 1.720-1.740, 1.1401-1415, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 CFR §§ 0.111, 0.311, that this proceeding **IS TRANSFERRED** to the Pennsylvania Public Utility Commission.

4. **IT IS FURTHER ORDERED**, pursuant to sections 1, 4(i), 4(j), 208, and 224 of the Act, 47 U.S.C. §§ 151, 154(i), 154(j), 208, 224, and sections 1.3, 1.720-1.740 and 1.1401-1415 of the Commission's Rules, 47 CFR §§ 1.3, 1.720-1.740, 1.1401-1415, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 CFR §§ 0.111, 0.311, that the proceeding before this Commission **IS CLOSED**.

FEDERAL COMMUNICATIONS COMMISSION



Rosemary McEnery  
Chief, Market Disputes Resolution Division  
Enforcement Bureau