

SCOTT J. RUBIN
ATTORNEY • CONSULTANT
333 OAK LANE • BLOOMSBURG, PA 17815 • (570) 387-1893 • SCOTT.J.RUBIN@GMAIL.COM

January 4, 2021

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

Re: Joint Application Frontier Communications Corporation;
Frontier Subsidiary Telco LLC; Commonwealth Telephone
Enterprises LLC; Commonwealth Telephone Company LLC
d/b/a Frontier Communications Commonwealth Telephone
Company; Frontier Communications of Breezewood, LLC;
Frontier Communications of Canton, LLC; Frontier
Communications of Lakewood, LLC; Frontier Communications
of Oswayo River LLC; Frontier Communications of
Pennsylvania, LLC; Citizens Telecommunications Company of
New York, Inc.; CTSI, LLC d/b/a Frontier Communications
CTSI, LLC; CTE Telecom, LLC d/b/a Frontier Communications
CTE Telecom Company; and Frontier Communications of
America, Inc. For approval of a Pro Forma Transaction
Associated with the Plan of Reorganization
Docket Nos. A-2020-3020004; A-2020-3020005;
A-2020-3020006; A-2020-3020007; A-2020-3020009;
A-2020-3020010; A-2020-3020011; A-2020-3020012;
A-2020-3020013; A-2020-3020014

Dear Secretary Chiavetta:

Enclosed please find the Supplement to Petition to Intervene of Communications
Workers of America in the above-referenced proceedings.

The document is being served on all parties of record as shown on the attached
Certificate of Service, and was filed electronically with the Commission on this date.

Sincerely,



Enclosure

cc: All parties of record

3. At that time, and based on the information then available to it, CWA stated it did not oppose the Draft Plan of Reorganization or the relief requested by the Frontier companies in this proceeding. CWA, however, specifically reserved the right to change its position if the underlying facts, including the details of the final reorganization, change.

4. While there have been a number of changes and updates in Frontier's status since CWA first intervened in these proceedings (such as conditional approval of Frontier's reorganization by the United States Bankruptcy Court), CWA files this Supplement to bring to the Commission's attention developments that have occurred in Frontier's operations during the past month.

5. Specifically, during December Frontier has made commitments to invest over two billion dollars in at least three other states -- commitments that have the potential to divert resources away from Pennsylvania and leave consumers without access to essential high-speed broadband services.

6. Initially, in the Connecticut reorganization proceeding, Frontier filed its Reply Brief on December 2, 2020.¹ On page 38 of that brief, for the first time, Frontier made the following commitment: "The Company will agree to expand its fiber to the premises ("FTTP") network to at least 100,000 additional locations in Connecticut within four

¹ The Southern New England Telephone Company d/b/a Frontier Communications of Connecticut (SNET) Bankruptcy Proceeding and Change of Control, CT Pub. Util. Reg. Auth. Docket No.20-04-31, Reply Brief of Frontier Communications Corp., et al., Dec. 2, 2020, available at: <http://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/e0fb63fa9987b62c852586330044df1c?OpenDocument>

years after the Authority's approval of the Restructuring and the Company's emergence from Chapter 11.” This fiber deployment will require a multimillion-dollar annual investment for each of the next four years.

7. Second, on December 18, 2020, Frontier, CWA, Staff of the Public Service Commission of West Virginia, and the Consumer Advocate Division of the Public Service Commission of West Virginia filed a joint stipulation that, among others, classifies Frontier’s operations in West Virginia as “InvestCo“ Companies, requires Frontier to deploy Gigabit capable fiber to not fewer than 150,000 locations in West Virginia by the end of 2027, and requires a minimum investment of \$200 million in West Virginia over a three-year period ending on December 31, 2023.²

8. Most recently, Frontier, CWA, The Utility Reform Network (“TURN”), and the Public Advocates Office at the California Public Utilities Commission (“Cal Advocates”) filed a settlement agreement on December 24, 2020.³ In that settlement, Frontier agreed to strengthen its workforce to meet service quality standards and expand fiber deployment across the state. As part of the proposed settlement, Frontier committed to spend at least \$1.75 billion over the next four years on service quality and network enhancement projects, as well as provide a detailed plan with input from CWA, TURN and Cal Advocates that identifies needs like plant repair, maintenance, hiring, and how Frontier intends to address them. Under this settlement, Frontier will deploy FTTP to 350,000 locations within the next six years. Furthermore, Frontier made other

² Joint Stipulation and Settlement Agreement, WV PSC No. 20-0400-T-PC, Dec. 18, 2020, available at: <http://www.psc.state.wv.us/scripts/WebDocket/ViewDocument.cfm?CaseActivityID=558128&NotType=%27WebDocket%27>

³ Joint Motion for Adoption of Settlement Agreement, CA PUC No. A. 20-05-010, Dec. 24, 2020, available at: <https://docs.cpuc.ca.gov/EFileSearchForm.aspx>

commitments, such as maintaining its total employee technician staffing in California over the next three years and .providing expanded training to its employee technicians.

9. In addition to these specific commitments in three states, on December 15, 2020, Frontier made a presentation to its investors.⁴ In that presentation, Frontier discusses its fiber investment plans as follows: “~2.6M of the ~2.9M targeted new fiber home passings in the Modernization Plan are aimed at increasing fiber density in ‘CTFC’ (CA, TX, FL, and CT), and ‘WINO’ (WV, IL, NY, and OH).”⁵ On that same page, Frontier mentions Pennsylvania, but only as possible candidates for additional fiber investment, stating: “Frontier constantly evaluates the composition of state groupings. IN & PA are two additional states among many currently being evaluated.”

10. It now appears Frontier has no definite plans to increase the level of investment (including investment in fiber to the premises) in Pennsylvania. CWA submits that the commitments Frontier has made in other states, as well as the company’s fiber deployment plans as provided to investors, increase the risk that Frontier will divert resources away from Pennsylvania in order to meet its commitments in other states.

WHEREFORE, for the reasons explained above, CWA requests the Commission to impose just and reasonable conditions, as provided in 66 Pa. C.S. § 1103(a), that require Frontier to make significant additional investments to improve the services

⁴ Frontier Communications Corp., Quarterly Investor Update, Dec. 15, 2020, available at: https://s1.q4cdn.com/144417568/files/doc_financials/2020/q3/FTR-Q3-2020-Investor-Update-Final.pdf

⁵ Id., p. 23.

received by consumers in the Commonwealth, including investments in fiber-to-the-premises services.

Respectfully submitted,



Scott J. Rubin, Esq.
Pa. Supreme Court ID: 34536
333 Oak Lane
Bloomsburg, PA 17815

Counsel for:
Communications Workers of America

Dated: January 4, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing upon the following parties to this proceeding by electronic mail and first class mail.

Thomas Niesen, Esq.
Charles E. Thomas Jr., Esq.
Thomas, Niesen & Thomas LLC
212 Locust Street Ste 302
Harrisburg, PA 17101
tniesen@tntlawfirm.com,
cthomasjr@tntlawfirm.com
Counsel for Joint Applicants



Scott J. Rubin
Counsel for CWA

Dated: January 4, 2021