

**Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of )  
Zito Mifflin County, LLC )  
)  
Petition for Designation as an )  
Eligible Telecommunications Carrier )  
And Request for Expedited )  
Consideration )

Docket No. P-2021-3023622

**RESPONSES OF ZITO MIFFLIN COUNTY, LLC TO  
THE BUREAU OF CONSUMER SERVICES' THIRD DATA REQUESTS**

- 1. In response to the second data request # 12, Exhibit D is a disclosure of limitation of digital voice service. Please provide a mockup of a point-of-sale disclosure that satisfies 47 CFR 54.9.20(d). This includes the offer of an 8- or 24- hour power source, if any, and/or installation options. This disclosure can be combined with Exhibit C, Zito's Subscriber Acknowledgement of Limitations Related to Digital Voice Service. Please revise and resubmit.**

**Response:** Attached hereto as **Exhibit C** is the revised mockup of Zito Mifflin County, LLC's Subscriber Acknowledgement of the limitations of Digital Voice Service.

- 2. Zito Media is referred to in the response to the first data request #14 and response to second data request #13, and in submitted disclosures. What is the relationship between Zito West Holding LLC, Zito Mifflin County and Zito Media?**

**Response:** Zito West Holding, LLC is the parent of Zito Mifflin County, LLC and Zito Media will be a fictitious name filed with the Pennsylvania Secretary of State for Zito Mifflin County, LLC.

- 3. Is Zito Media also known as Zito Media Voice authorized as a competitive local exchange carrier (CLEC) in Pennsylvania at Docket Nos. A-311439F0002, A-311439F0002AMA, and A-311439F0002AMB to operate in the service territories of Verizon Pennsylvania Inc., Verizon North Inc., Windstream Pennsylvania, and Frontier Communications of Oswayo River?BCS will gladly continue to work with Zito Mifflin to develop its biannual bill message and Lifeline marketing material for content that complies with FCC and Commission rules. For instance:**
  - Zito Mifflin County must be identified as the ETC vs. Zito Media.**
  - A bill message is to include Lifeline benefit information.**
  - It is unnecessary to itemize fees and charges.**

**Response:** No, Zito Media will be a fictitious name for Zito Mifflin County, LLC. Attached hereto as **Exhibit A** is the revised mockup of Zito Mifflin County's biannual bill message with the changes requested in the three bullet points above. Also, the staff

contact information is Teddi Kaple, [escCOORDINATORS@zitomedia.com](mailto:escCOORDINATORS@zitomedia.com) and she can be reached at 814-260-9575 ext. 113.

4. **In response to the second data request, Exhibits A and B, Zito Mifflin indicates it will apply a late payment of \$7.00 per month. Carriers are not prohibited from charging a late payment fee to Lifeline customers if payment is received past the bill due date. However, 52 Pa. Code § 64.16 does limit a late payment charge to 1.25% of the past due amount for voice service as a protected service. Does Zito Mifflin agree to limit the late payment fee to 1.25% per month for past due amounts for voice service.**

**Response:** Yes, Zito Mifflin County, LLC agrees to the limit the late payment fee to 1.25% per month for past due amounts for voice service.

# Exhibit C

## SUBSCRIBER ACKNOWLEDGEMENT OF LIMITATIONS RELATED TO DIGITAL VOICE SERVICE

**I acknowledge the following:**

To help you quickly respond to emergencies, Zito provides emergency 911 services much like traditional telephone companies. Should you ever need to access emergency services - fire, police, or ambulance - just dial the familiar digits "9-1-1," using your Zito Voice service. Upon calling 911 your call will be routed directly to a public-safety operator, who will dispatch the appropriate services. With Enhanced 911, emergency services will be able to quickly find you - your telephone number and address are electronically sent to the operator the moment your call goes through.

Zito provides Voice service in your home using either a GPON (Gigabit Passive Optical Network) unit or a cable modem, which require electrical power to function and allow you to make calls out, receive calls and call 911. Your Zito Voice service equipment will not work in the event of a power outage unless you have a backup power source on your premises.

Additionally, cordless telephones and other equipment, such as telecommunications devices used to assist with disabilities, will not work without electric power unless you have some sort of batteries capable of allowing them to function without an external source of electricity.

Customers who would like to keep their voice service working and do not already have backup power available, Zito recommends purchasing a UPS (Uninterruptible Power Supply) from a local or national retailer. Please note that when looking to purchase a UPS the FCC recommends having equipment that will keep GPON, modem, cordless or other related voice equipment up for 24 hours (at least 8 hours at a minimum) without commercial power.

As customers are responsible for providing and installing batteries for their cordless telephone and other telecommunications devices to operate during a power outage, they are also responsible for purchasing a UPS for the ONU and modem equipment if they don't already have one.

Below is a recommendation of the size of the UPS system to purchase based upon standard GPON and modem Zito provided for your phone service only. Any other equipment plugged into the UPS will significantly shorten the amount of time the UPS can supply backup power. Other factors that impact the amount of time the UPS can supply power during a power outage is age and if the UPS is fully charged before the power outage starts.

Zito does not have any responsibility for monitoring or maintaining the UPS systems or from where they are purchased. All warranties of the UPS systems are the responsibility of the retailer or manufacturer, not Zito. Sizing and maintaining the UPS systems is the responsibility of the customer or the company or consultant the customer uses to purchase and maintain the system. This includes all necessary power wiring and power outlets in a suitable location and in a safe condition and location within the residence. The customer is also responsible for any environmental requirements the UPS manufacturer recommends. Zito is not liable for any property damage or personal injury, or any other alleged damage or injury, caused by any customer-provided power supply, wiring, or power outlet.

In the event of a power failure, no allowance is made for interruption of service and the Company shall not be held liable for such an interruption of service. Nor shall the company be liable for any property damage or personal injury, or any other alleged damage or injury, caused by any customer-provided power supply, wiring, or power outlet.

Customers who have any questions or concerns with backup power as it relates to Zito equipment can call customer care at 800-365-6988 or email [support@zitomedia.com](mailto:support@zitomedia.com).

#### **UPS Specifications -**

- 8 hour back up for Zito voice equipment (GPON/Modem) only.

*Minimum\* - 120V 1000VA 500W with surge protection*

- 24 hour back up for Zito voice equipment (GPON/Modem) only.

*Minimum\* – 120V 3000VA 2700W with surge protection.*

*\*Any other equipment other than Zito voice equipment connected to the UPS system will significantly impact the UPS's ability to provide back up power. Please consult specific UPS manufacturer tables for possible external battery requirements to achieve extended run times.*

I agree that ZITO MEDIA will not be responsible for any losses or damages arising as a result of the unavailability of the Digital Voice Service, including the inability to reach 911 or other emergency Services, or the inability to contact my home security system or remote medical monitoring service provider. I acknowledge that ZITO MEDIA does not guarantee that the Digital Voice Service will operate with my home security and/or medical monitoring systems, and that I must contact my home security or medical monitoring provider in order to test my system's operation with the Digital Voice Service. I agree that I am responsible for the cost of any such testing or any fees for configuring my home security or medical monitoring system to work with the Digital Voice Service.

The location and address associated with my Digital Voice Service will be the address identified on the Work Order. I acknowledge that, I am not permitted to move ZITO MEDIA Equipment from the location and address in which it has been

**installed. Furthermore, if I move my voice-enabled ONU to an address different than that identified on the Work Order, calls from such ONU to 911 will appear to 911 emergency service operators to be coming from the address identified on the Work Order and not the new address.**

**I acknowledge that the existing voice wiring inside my home may not support both Digital Voice Service and digital subscriber line (DSL) service. Therefore, if I intend to use Digital Voice Service on all of my voice jacks, I may be required to maintain separate wiring, not provided by ZITO MEDIA, within my home specifically for DSL service or to disconnect my DSL service prior to receiving the Digital Voice Service over my existing in-home wiring.**

**I agree to provide ZITO MEDIA and its authorized agents with access to my voice inside wiring at the Network Interface Device or at some other minimum point of entry in order to provide the Digital Voice Service over my existing in-home wiring.**

**I acknowledge that the Digital Voice Service may not be compatible with certain data transmission Services, including but not limited to fax transmissions and dial-up Internet access and that I may be required to maintain a separate voice line, not provided by ZITO MEDIA, in order to access such Services.**

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**Signature of Subscriber**

# Exhibit A

## Lifeline Service Program

Zito Mifflin County, LLC, an Eligible Telecommunications Carrier (ETC) offers a Lifeline Service Program for eligible low income customers with the following discounted service prices:

- \$71.10 per month for our Ultra HSD Service (100x25 Mbps-no usage allowance and includes the Optical Network Unit (a fiber to the home modem)("ONU"))- **a \$9.25 discount from our retail rate of \$80.35.**
- \$25.40 per month for our Digital Voice Service (which includes voicemail, visual voicemail, call waiting, caller id, call forwarding, unlimited local and long distance calling in the United States, Canada, Puerto Rico, the US Virgin Islands, and Guam and excludes other international long distance calling and the ONU)- **a \$5.25 discount from our retail rate of \$30.65.**
- \$83.75 per month for our Ultra HSD Service and Digital Voice Service (100x25 Mbps-no usage allowance and includes the ONU)- **a \$9.25 discount from our retail rate of \$93.00.**

This Lifeline Service is a government assistance program and only eligible customers may enroll in the Lifeline Service Program. Qualifying customers who reside on federally recognized tribal lands may qualify for additional discounts.

You can get one Lifeline Service Program discount (Ultra HSD Service, Digital Voice Service or Ultra HSD Service and Digital Voice Service) per household, not per person, and a household can get a Lifeline Service Program discount from only one provider. You may not transfer this benefit to another person or household.

You may qualify for Lifeline Service Program if your household income is at or below 135% of the Federal Poverty Guidelines 66 C.S. Section 3019(f)(4) or if you participate in one of the following federal assistance programs:

- Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps
- Medicaid
- Supplemental Security Income (SSI)
- Federal Public Housing Assistance (FPHA)
- Veterans Pension and Survivors Benefit
- Tribal Programs (and live on federally-recognized Tribal lands)

You can apply for this benefit online through the National Verifier, found here

<https://nationalverifier.servicenowservices.com/lifeline>

If you would like to learn more about Lifeline Service Program or need assistance, please contact Zito Mifflin County's customer service line at 1-800-365-6988 or *contact the PA PUC Bureau of Consumer Services for help with unresolved questions or complaints at 1-800-692-7380 or <https://www.puc.pa.gov/complaints/informal-complaints/>.*