

Commonwealth of Pennsylvania
Before the Pennsylvania Public Utility Commission

In the Matter of:

Francene Tearpock-Martini
Complainant
v.

Docket No. C-2023-3038237

Frontier Utilities Northeast
Respondent

CERTIFICATE OF SERVICE

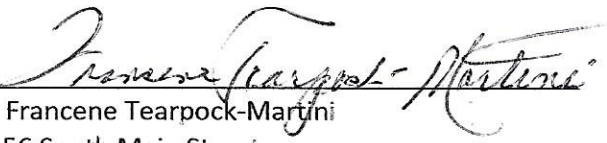
I hereby certify that I have this day served a true copy of the foregoing Answer and New Matter Upon the parties listed below, in accordance with the requirements of 52 PA Code relating to service by a Participant.

VIA ELECTRONIC MAIL AND EMAIL

Karen O. Moury, Esquire
Sarah C. Stoner, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101

Hon. Charles E. Rainey, Jr.
Chief Administrative Law Judge
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120


Francene Tearpock-Martini
56 South Main Street
Shickshinny, Pennsylvania 18655
Tel. (570) 542-2346

Date: 03-07-23

Commonwealth of Pennsylvania
Before the Pennsylvania Public Utility Commission

In the Matter of:

Francene Tearpock-Martini
Complainant
v.

Docket No. C-2023-3038237

Frontier Communications
Respondent

Reply to Frontier Utilities Northeast Preliminary Objections to Complaint

Complainant is the property owner residing at 56 South Main Street, Shickshinny, PA 18655 - whose property was violated and trespassed upon by workers of Frontier Communications while attempting to run fiber optic wires on Utility Poles owned by UGI Utilities, Inc. Workers were not performing work for Complainant at her property but were caught by her trespassing and causing damage on December 1, 2022.

Complaint was filed with the PUC naming both parties - UGI and Frontier - following procedures outlined by PUC legal department. After filings were submitted, Complainant received notification of rejection of Complaint and that separate Complaints must be filed for Frontier and for UGI Utilities, Inc. because they have individual I.D. numbers with the PUC. Complaint was therefore filed within their instructions.

COMPLAINT IS WITH FRONTIER COMMUNICATIONS. Complainant is not familiar with all of the Divisions within Frontier. Complainant has been a customer of Frontier since they purchased the telephone company from Commonwealth Telephone many years ago. Complainant is not a customer of Frontier Utilities and receives electricity from UGI Utilities.

UGI Utilities is familiar with the significance of the property here. Complainant being the owner of this historic property since early 1970's has experienced UGI Utilities trespass as early as 2008 causing damage to another specimen tree which penalties were incurred through the PUC.

Frontier Communications is familiar with the Complainant's property here and, in fact, has a sub-station within walking distance of Complainant's property.

FRONTIER COMMUNICATIONS has recently been installing fiber optic cable in the town of Shickshinny. The independent contractor installing the fiber optic cable for Frontier is not known to the Complainant and is the party that trespassed on property and chopped on her half century old decorative Magnolia tree without providing any prior notification of need for such activity to be done. Complainant takes great care and has services of Certified Arborists attending to her historic property and landscape.

Complainant would like to restate that her property was trespassed upon with no prior notification and or warning being given as was previously stressed by the Public Utility Commission in writing to the UGI Utility, Inc., that due to the historic nature of the property such should be provided when their poles are to be involved which one pole specifically is only within 4 feet of the historic cut stone wall and Carriage House. Frontier was using an independent contractor of which Complainant had no knowledge to run their fiber optic cables on UGI UTILITY poles.

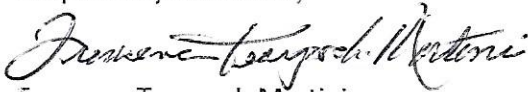
Complainant contacted Frontier and spoke by telephone with Mike Spencer, Foreman for all of PA Frontier she was told. Mr. Spencer was to meet with the Complainant on two separate occasions following the incident but never showed up. Complainant also contacted UGI Corporation, Timothy McHugh, Esq. via written correspondence.

It became apparent that parties are not concerned nor communicating what can and cannot be done and where actual ROWs exist. Contractors take it upon themselves to do whatever they want to do and whenever, upon Complainant's property. Thus, Complaint was filed with the PUC.

It is not known if the tree will survive the severe, harsh cutting. It sometimes takes several years to see the severe extent of the damage that was done by the cutting which in turn leads to the tree's demise.

Complainant is pro se and followed directions provided to her in the filing. For the reasons outlined herein. Complainant requests that this matter be Amended to named Frontier Communications as was intended.

Respectfully submitted,



Francene Tearpock-Martini
56 South Main Street
Shickshinny, Pennsylvania 18655
Email: ftm@epix.net

Date: 03-07-23

Francene Tearpock-Martini

From: "Francene Tearpock-Martini" <ftm@epix.net>
Date: Friday, February 10, 2023 4:10 PM
To: "Dickson, Yolanda" <ydickson@pa.gov>
Subject: Re: EFILING#2456606 TWO FORMAL COMPLAINTS AGAINST UGI & FRONTIER

Hello Ms. Dickson: As per your request two separate Formal Complaint filings have been submitted – one for Frontier and another for UGI. Thank you. Francene Tearpock-Martini (570) 542-2346

From: [Dickson, Yolanda](#)
Sent: Friday, February 10, 2023 12:26 PM
To: ftm@epix.net
Subject: EFILING#2456606 TWO FORMAL COMPLAINTS AGAINST UGI & FRONTIER

Hello Francene Tearpock-Martini –

Our office received your multiple E-filings of your FORMAL COMPLAINT. **However, they were rejected as we cannot accept duplicate efiled documents.**

Please file one Formal Complaint for UGI and Frontier separately because they have different utility codes and contacts so the must be efiled individually.

Thank you,

Yolanda Dickson | Legal Assistant
Pennsylvania Public Utility Commission
Secretary's Bureau – C&A
ydickson@pa.gov