



COMMONWEALTH OF PENNSYLVANIA

April 7, 2023

E-FILED

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

**Re: Office of Consumer Advocate, Office of Small Business Advocate v.
Commonwealth Telephone Company, LLC d/b/a Frontier Communications
Telephone Company / Docket No. C-2023-3037574**

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Parties of Record
Nakea S. Hurdle
Joseph Gillan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Office of Consumer Advocate and the :
Office of Small Business Advocate :
 : **Docket No. C-2023-3037574**
v. :
 :
 :
Commonwealth Telephone Company LLC :
d/b/a Frontier Communications Telephone
Company

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter are Assistant Small Business Advocates Sharon E Webb and Nakea Hurdle. Please address all correspondence as follows:

Sharon E. Webb
Nakea S. Hurdle
Assistant Small Business Advocates
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Forum Place
Harrisburg, Pennsylvania 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov
nhurdle@pa.gov

II. FILING BACKGROUND

On January 9, 2023, the Office of Consumer Advocate (“OCA”) and the Office of Small Business Advocate (“OSBA”) filed a Joint Complaint regarding service outages and quality of service issues against Commonwealth Telephone Company LLC d/b/a Frontier Communications Telephone Company (“Frontier” or “Company”).

Frontier filed an Answer to the Joint Complaint on February 21, 2023.

Administrative Law Judges Steven K. Haas, and John Coogan were assigned to this proceeding. The Prehearing Memorandum is being served pursuant to the March 13, 2023 Prehearing Conference Order.

III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Joseph Gillan
(386) 405-2751
joseph@gillanassociates.com

The OSBA filed the Joint Complaint in the case to assure that the interests of small business customers of Frontier are represented and protected.

In the Joint Complaint the OCA and OSBA have identified several issues of concern relative to Frontier’s quality of service to consumers which includes the following list of issues that the Joint Complainants will pursue in this proceeding:

1. Frontier’s failure to promptly remediate all existing outages and other service quality complaints;

2. Frontier's failure to assess and improve its staffing and resources to better maintain its network and be prepared to respond and promptly clear outages;
3. Frontier compliance with all provisions of the Public Utility Code, the Commission's regulations, the Company's Amended Chapter 30 Plan, and Commission orders including the Frontier Voluntary Commitments;

The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date¹ as satisfying the in-hand requirement. The OSBA requests that email delivery of documents also be provided to its witnesses identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

V. SETTLEMENT

The OSBA notes its willingness to enter settlement discussions at the appropriate phase of this proceeding.

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

VI. HEARING AND BRIEFING SCHEDULE

At the time of this writing, the parties are working to develop a proposed procedural schedule to be presented at the April 11, 2023, prehearing conference.

Respectfully submitted,

/s/ Sharon E. Webb

Sharon E. Webb

Attorney ID No. 73995

Assistant Small Business Advocate

Office of Small Business Advocate
555 Walnut Street, 1st Floor
Forum Place
Harrisburg, PA 17101

Dated: April 7, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Office of Consumer Advocate and the Office
of Small Business Advocate** :

:

:

Docket No. C-2023-3037574

v.

:

:

**Commonwealth Telephone Company LLC
d/b/a Frontier Communications Telephone
Company** :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Steven K. Haas
The Honorable John M. Coogan
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DATE: April 7, 2023

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995