

COMMONWEALTH OF PENNSYLVANIA



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February 14, 2025

Via Electronic Filing

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

Re: Joint Application of Frontier
Communications, Verizon Communications,
et al; Docket Nos. A-2024-3051925,
A-2024-3051926, A-2024-3051927,
A-2024-3051929, A-2024-3051931,
A-2024-3051932, A-2024-3051933,
A-2024-3051934, A-2024-3051935,
A-2024-3051936

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Motion to Compel Answers in the captioned proceeding.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Barrett C. Sheridan
Barrett C. Sheridan, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 61138
BSheridan@paoca.org

Enclosures

cc: Office of Administrative Law Judge Steven Haas (email only: sthaas@pa.gov)
Office of Administrative Law Judge Erin L. Gannon (email only: egannon@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Joint Application of Frontier	:	
Communications Parent, Inc.,	:	Docket Nos. A-2024-3051925
Commonwealth Telephone Enterprises	:	A-2024-3051926
LLC, Commonwealth Telephone Company	:	A-2024-3051927
LLC d/b/a Frontier Communications	:	A-2024-3051929
Commonwealth Telephone Company,	:	A-2024-3051931
Frontier Communications of Breezewood,	:	A-2024-3051932
LLC, Frontier Communications of Canton,	:	A-2024-3051933
LLC, Frontier Communications of	:	A-2024-3051934
Lakewood, LLC, Frontier Communications	:	A-2024-3051935
of Oswayo River LLC, Frontier	:	A-2024-3051936
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,	:	
Frontier Communications of America, Inc.	:	
And Verizon Communications Inc., France	:	
Merger Sub Inc., For any Approvals	:	
Required Under the Public Utility Code for	:	
a Transfer of Control of Frontier	:	
Communications Parent, Inc. and its	:	
Pennsylvania subsidiaries to Verizon	:	
Communications Inc.	:	
	:	

I hereby certify that I have this day filed electronically on the Commission’s electronic filing system and served a true copy of the following Office of Consumer Advocate’s Motion to Compel Frontier to answer Set 3 and Set 4, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 14th day of February 2025.

SERVICE BY E-MAIL ONLY

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Counsel for:
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Interim Acting Consumer Advocate

Dated: February 14, 2025

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Katie Kennedy
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Frontier	:	
Communications Parent, Inc.,	:	Docket Nos. A-2024-3051925
Commonwealth Telephone Enterprises	:	A-2024-3051926
LLC, Commonwealth Telephone Company	:	A-2024-3051927
LLC d/b/a Frontier Communications	:	A-2024-3051929
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Frontier Communications of Breezewood,	:	A-2024-3051932
LLC, Frontier Communications of Canton,	:	A-2024-3051933
LLC, Frontier Communications of	:	A-2024-3051934
Lakewood, LLC, Frontier Communications	:	A-2024-3051935
of Oswayo River LLC, Frontier	:	A-2024-3051936
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,	:	
Frontier Communications of America, Inc.	:	
And Verizon Communications Inc., France	:	
Merger Sub Inc., For any Approvals	:	
Required Under the Public Utility Code for	:	
a Transfer of Control of Frontier	:	
Communications Parent, Inc. and its	:	
Pennsylvania subsidiaries to Verizon	:	
Communications Inc.	:	

**THE OFFICE OF CONSUMER ADVOCATE’S
MOTION TO DISMISS OBJECTIONS
AND COMPEL ANSWERS RELATED TO
OCA INTERROGATORIES SETS 3 AND 4**

I. INTRODUCTION

1. The Office of Consumer Advocate (OCA) has protested the Joint Application of Frontier Communications Parent, Inc. (Frontier) and named affiliates and Verizon Communications Inc. (Verizon) and named affiliates. The OCA has engaged in discovery of Frontier. The OCA served interrogatories, OCA Sets 3 and 4, on Frontier under separate cover on Thursday, January 30, 2025.

2. Interrogatories in OCA Sets 3 and 4 directed to Frontier concern information designated by Frontier as Highly Confidential.

3. On Friday, February 7, 2025,¹ Frontier served specific written objections to OCA Set 3, Question 1, Subparts (a) and (d) and Question 3 (Highly Confidential). Frontier's written objections also contain non-specific objections to OCA Sets 3 and 4 (Highly Confidential), under the heading "Non-waiver of evidentiary use of documents, information, and materials produced."

4. Pursuant to 66 Pa.C.S. § 333(g), 52 Pa. Code §§ 5.103, 5.331, and 5.342(g), and the Prehearing Order issued on January 28, 2025 by Administrative Law Judges Steven K. Haas and Erin Gannon, the OCA requests that the Presiding Officers enter an order that (1) dismisses Frontier's specific written objections to OCA Set 3, Question 1, Subparts (a) and (d), and Question 3; and (2) compels Frontier to provide a full and complete response to OCA Set 3, Question 1(a), (d), and Question 3. Further, the OCA requests that the Presiding Officers direct Frontier to confirm that all Frontier responses to OCA Set 3 and 4 interrogatories are full and complete, notwithstanding Frontier's generalized objection or 'non-waiver' of possible future positions regarding discovery and development of the evidentiary record.

5. To facilitate the Presiding Officer's review, OCA Set 3 to Frontier is attached as Appendix A (Highly Confidential), OCA Set 4 to Frontier as Appendix B (Highly Confidential),

¹ Mr. Bryce Beard, Frontier counsel, served the Frontier written objections on OCA by e-mail after 1:30 p.m. on Friday, February 7, 2025. See, Appendix D, e-mail from Mr. Beard. Frontier's day and time of service bears on the deadline for this OCA Motion, pursuant to the discovery modifications agreed to by the parties and memorialized in the January 28, 2024 Prehearing Order.

First, Paragraph 5 of the applicable discovery modifications provides: "Any discovery or *discovery-related pleadings (such as objections, motions, and answer to same)* served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of calculating the due date for any responsive filing." (Emphasis added)

Second, Paragraph 3 provides: "Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within five (5) calendar days of service of written objections."

[REDACTED]

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B. Frontier's Objection to OCA Set 3, Question 3 Should Be Denied

[BEGIN HIGHLY CONFIDENTIAL]

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[REDACTED] [END HIGHLY CONFIDENTIAL]

VI. CONCLUSION

As set forth above, Frontier's specific objections to the identified OCA interrogatories are not well plead and supported. The OCA requests that the Presiding Officers enter an order that (1) dismisses Frontier's specific written objections to OCA Set 3, Question 1, Subparts (a) and (d), and Question 3; and (2) compels Frontier to provide a full and complete response to OCA Set 3, Question 1(a), (d), and Question 3. Further, the OCA requests that the Presiding Officers direct Frontier to confirm that all Frontier responses to OCA Set 3 and 4 interrogatories are full and complete, notwithstanding Frontier's generalized objection or 'non-waiver' of possible future positions regarding discovery and development of the evidentiary record. The OCA respectfully requests that the Presiding Officers grant this Motion to Dismiss Objection and Compel Response to Discovery and direct Frontier to answer the OCA Set 3 Questions 1 and 3 in full.

Respectfully Submitted,
/s/ Barrett C. Sheridan
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Phone: (717) 783-5048

Counsel for:
Darryl A. Lawrence
Interim Acting Consumer Advocate

Dated: February 14, 2025

Appendix A

(HIGHLY CONFIDENTIAL)

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Appendix B

(HIGHLY CONFIDENTIAL)

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Appendix C

HIGHLY CONFIDENTIAL

[Redacted]

Appendix D

From: Bryce R. Beard <bbeard@eckertseamans.com>

Sent: Friday, February 7, 2025 4:03 PM

To: Sheridan, Barrett C. <BSheridan@paoca.org>; Kennedy, Katherine M. <KKennedy@paoca.org>; Morden, Ryan <RMorden@paoca.org>

Cc: Gray, Steven C. <sgray@pa.gov>; Paiva, Susan <suzan.d.paiva@verizon.com>; Victory, Nancy J. <Nancy.Victory@us.dlapiper.com>; Hazzard, Mike <mike.hazzard@us.dlapiper.com>; Thomas, Frederick <FT7230@FTR.com>; Saville, Kevin <KS9458@FTR.com>; Sniscak, Thomas <tjsniscak@hmslegal.com>; Lauren Burge <lburge@eckertseamans.com>

Subject: VZ/FTR Application - A-2024-3051925 et al - Frontier objections to OCA Set III (HIGHLY CONFIDENTIAL) and Set IV

Good Afternoon,

Please find attached the service letter for the Objections of Frontier Communications to OCA Set III and Set IV.

A copy of the HIGHLY CONFIDENTIAL Objections will be sent under separate cover to the OCA.

Regards,

Bryce



Bryce R. Beard

Associate

Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor | Harrisburg, PA 17101

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BIO: 👤 VCARD: 📄 | 🌐 [in](#) [tw](#)

Bryce R. Beard
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February 7, 2025

Via Email Only

Barrett C. Sheridan, Esq.
Ryan Morden, Esq.
Katie Kennedy, Esq.
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555 Walnut Street
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Harrisburg, PA 17101-1923

Re: Joint Application of Frontier Communications, Verizon Communications, et al.,
Docket Nos. A-2024-3051925, A-2024-3051926, A-2024-3051927, A-2024-3051929, A-
2024-3051931, A-2024-3051932, A-2024-3051933, A-2024-3051934,
A-2024-3051935, A-2024-3051936

Dear Counsel:

Attached please find Frontier Communications Parent, Inc.'s *et al*, ("Frontier") **Objections to the Office of Consumer Advocate's Interrogatories, HIGHLY CONFIDENTIAL Set III and Set IV**, regarding the above-referenced matters. Copies to be served in accordance with the attached Certificate of Service.

Sincerely

Bryce R. Beard
Bryce R. Beard

BRB/lww

Enclosure

cc: Cert. of Service w/enc.
Rosemary Chiavetta, Secretary (COS only)

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of **Frontier's Objections to OCA's Interrogatories, HIGHLY CONFIDENTIAL Set III and Set IV** upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email Only

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Dated: February 7, 2025