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April 16, 2026

Via Electronic Filing

Secretary Matthew L. Homsher
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: **Cancellation of Certificates of Public Convenience for Telecommunication Utilities;
Failure to Operate or Report Any Intrastate Operating Revenue;**

**Application of PEG Bandwidth PA, LLC for approval to offer, render, furnish or
supply telecommunication services as a Competitive Access Provider to the Public in
the Commonwealth of Pennsylvania;**

Docket Nos. M-2026-3059781; A-2012-2301870

Dear Secretary Homsher,

Enclosed for electronic filing please find PEG Bandwidth PA, LLC (“PEG PA”) Comments in
Opposition to the Commission’s Tentative Order of in the above-referenced matters.

If you have any questions, please contact us.

Sincerely,
Bryce R. Beard
Bryce R. Beard

BRB/dmc
Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In the Matters of:)	
)	
Cancellation of Certificates of Public Convenience for Telecommunication Utilities; Failure to Operate or Report Any Intrastate Operating Revenue)	M-2026-3059781
)	
Application of PEG Bandwidth PA, LLC for approval to offer, render, furnish or supply telecommunication services as a Competitive Access Provider to the Public in the Commonwealth of Pennsylvania)	A-2012-2301870
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**Opposition of PEG Bandwidth PA, LLC
to the Cancellation of Certificates of Public Convenience
for Telecommunications Public Utilities**

PEG Bandwidth PA, LLC (“PEG PA”) respectfully submits this opposition to the Pennsylvania Public Utility Commission’s (“Commission”) Tentative Order (“2026 Tentative Order”) proposing to find public utilities that failed to report intrastate revenue for the calendar year 2024 as deemed to be no longer providing public utility service for compensation in Pennsylvania and consequently, no longer entitled to hold a Commission-issued Certificate of Public Convenience and Necessity (“CPC”).

The 2026 Tentative Order established a deadline for the submission of comments to challenge the tentative approval of CPC cancellations within 20 days of the date of publication of the Tentative Order in the Pennsylvania Bulletin. Publication occurred on March 28, 2026, resulting in a comment deadline of on or before April 16, 2026. As such, these opposition comments are timely filed.

PEG PA has twice opposed tentative orders proposing cancellation of PEG PA's CPC for failure to report intrastate revenue. PEG PA filed a timely October 4, 2019 Response¹ to the Commission's July 11, 2019 Tentative Order², and a timely May 12, 2023 Response³ to the Commission's March 16, 2023 Tentative Order⁴. In both instances, the Commission elected to not cancel PEG PA's CPC.

Following PEG PA's 2019 Response, the Commission referred PEG PA to the Bureau of Investigation and Enforcement ("BI&E") on May 18, 2020.⁵ The Commission's 2020 referral to BI&E concerned the same issue raised in the 2023 Tentative Order and also here in the 2026 Tentative Order. Specifically, the 2019 Tentative Order alleged a violation of the same Pennsylvania code section by numerous carriers including PEG PA. After responding to BI&E and fully cooperating with the investigation, BI&E terminated its investigation of PEG PA on February 18, 2022, where BI&E found that it was "unable to substantiate allegations of wrongdoing on the part of [PEG PA] which would require the cancellation of its Certificate." BI&E's letter continues that "I&E has elected to terminate the instant investigation, without prejudice, pursuant to 52 Pa. Code § 3.113(b)(1)." PEG PA is unaware of any change in relevant law since February 18, 2022 that would materially affect the outcome of another investigation of the company by BI&E.

¹ See Opposition of PEG Bandwidth PA, LLC to Cancellation of Certificates of Public Convenience for Telecommunications Public Utilities, Docket No. M-2019-3010251 (Oct. 4, 2019) ("2019 Response").

² See Tentative Order Finding Cancellation of Certificates of Public Convenience for Telecommunications Public Utilities; Reporting Zero Intrastate Operating Revenue, Docket No. M-2019-3010251 (Order entered July 11, 2019) ("2019 Tentative Order")

³ See Opposition of PEG Bandwidth PA, LLC to Cancellation of Certificates of Public Convenience for Telecommunications Public Utilities, Docket No. M-2019-3010251 (May 12, 2023) ("2023 Response").

⁴ See Tentative Order Finding Cancellation of Certificates of Public Convenience for Telecommunications Public Utilities; Reporting Zero Intrastate Operating Revenue, Docket No. M-2022-3037353 (Order entered March 16, 2023) ("2023 Tentative Order")

⁵ Docket Nos. M-2019-3010251; A-2012-2301870.

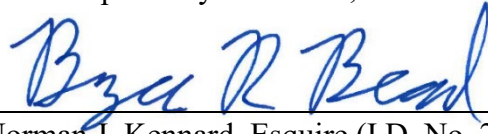
Because PEG PA is unaware of any change in relevant law since February 18, 2022 that would materially affect the outcome of another investigation of the company by BI&E, PEG PA opposes the cancellation of its CPC and respectfully submits that the Commission's tentative conclusion in the 2026 Tentative Order is flawed for the following reasons as explained in PEG PA's 2019 response and summarized below:

1. The Commission's tentative conclusion is flawed as revenues are distinct from service classification. PEG PA offers intrastate service to the public and submits to the Commission's jurisdiction. There is no reference to reporting intrastate revenue in the Commission's definition of a "public utility." The Commission could, alternatively, recover reasonable regulation costs through assessments other than gross intrastate operating revenues.
2. Federal Communication Commission ("FCC") rules prohibit private-line providers from reclassifying revenues as intrastate under applicable federal laws and regulations. The FCC requires PEG PA to classify revenues from mixed-use lines as interstate. The lack of revenue attributable to intrastate services is a function of the FCC's revenue reporting rules and accompanying FCC guidance. PEG PA must apply a consistent, national revenue reporting approach. Reporting intrastate revenues specific to Pennsylvania would result in duplicative collections and increase customer costs.
3. Cancellation would unlawfully increase barriers to providing interstate service in Pennsylvania. The lack of a CPC would prevent PEG PA from providing intrastate services to customers, putting PEG PA at a competitive disadvantage. Lack of access to public rights-of-way would violate the FCC's small-cell rules. Revoking PEG PA's CPC on the basis of no reported intrastate revenues would prohibit the company from accessing the

rights-of-way that, for the reasons detailed herein, would violate Section 332 of the Communications Act and the FCC's Infrastructure Declaratory Ruling.

The 2026 Tentative Order raises no new material issues of fact or law with respect to PEG PA's service offerings in the Commonwealth that would allow for a contrary finding by BI&E. PEG PA incorporates by reference the many filings it has made concerning this issue opposing cancellation of its CPC and all remain relevant to the 2026 Tentative Order. Accordingly, PEG PA respectfully emphasizes that because the 2026 Tentative Order raises no new material issues of fact or law concerning PEG PA's operations in Pennsylvania that were not already addressed by the company in its filings cited to in these opposition comments, there is no basis for the Commission to cancel PEG PA's CPC or to investigate the company.

Respectfully submitted,



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Date: April 16, 2026

Counsel for PEG Bandwidth PA, LLC

VERIFICATION

I, Nicole Winters, hereby state that: (1) I am the Senior Director – Regulatory Counsel of Uniti Group Inc. (“Uniti Group”); (2) I am authorized to make this Verification on behalf of Uniti Group and its subsidiary PEG Bandwidth PA, LLC (collectively, the “Company”); (3) the facts set forth in the enclosed Comments in Opposition are true and correct (or are true and correct to the best of my knowledge, information and belief); and, (4) that the foregoing comments were prepared under by direction and supervision. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: April 16, 2026



Nicole Winters
Senior Director – Regulatory Counsel
Uniti Group Inc.