

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held July 16, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Application of Ezee Fiber Texas, LLC d/b/a Ezee
Fiber for Approval to Offer, Render, Furnish or
Supply Telecommunications Services to the Public as
a Competitive Local Exchange Carrier in the
Commonwealth of Pennsylvania in the Service
Territories of Verizon Pennsylvania LLC, Verizon
North LLC, Brightspeed of Pennsylvania, LLC,
Commonwealth Telephone Company d/b/a Frontier
Communications Commonwealth Telephone
Company, and Windstream Pennsylvania, LLC

A-2024-3046959

Application of Ezee Fiber Texas, LLC d/b/a Ezee
Fiber for Approval to Offer, Render, Furnish or
Supply Telecommunications Services to the Public as
a Competitive Access Provider in the Commonwealth
of Pennsylvania

A-2024-3046958

Application of Ezee Fiber Texas, LLC d/b/a Ezee
Fiber for Approval to Offer, Render, Furnish or
Supply Telecommunications Services to the Public as
a Detariffed Interexchange Carrier Reseller in the
Commonwealth of Pennsylvania

A-2024-3046957

ORDER

BY THE COMMISSION:

On February 29, 2024, Ezee Fiber Texas, LLC d/b/a Ezee Fiber (“Ezee Fiber” or “Applicant”) filed an Application seeking Certificates of Public Convenience under our orders issued pursuant to the Telecommunications Act of 1996, 47 U.S.C. §§ 201 *et seq.*, (TA-96)¹ and to Chapter 11 of the Public Utility Code (Code) (66 Pa.C.S. §§ 1101 *et seq.*) evidencing authority to provide the following telecommunication services to the public:

- (1) As a Competitive Local Exchange Carrier (CLEC) in the service territories of Verizon Pennsylvania LLC, Verizon North LLC, Brightspeed of Pennsylvania, LLC, Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company, and Windstream Pennsylvania, LLC;
- (2) As a Competitive Access Provider (CAP) throughout the Commonwealth of Pennsylvania; and
- (3) As a detariffed Interexchange Carrier Reseller (IXC-R) throughout the Commonwealth of Pennsylvania.²

The Applicant was granted provisional authority pursuant to our Secretarial Letter dated August 6, 2024, to provide the proposed telecommunications as a CAP, IXC-R and CLEC in the territories of Verizon Pennsylvania LLC and Verizon North LLC pursuant to its proposed tariffs during the pendency of the application process. As required by 52 Pa. Code § 5.14, notice of the Application was published in the *Pennsylvania Bulletin*.³ The

¹ In light of the policy objectives of TA-96, market entry requirements for telecommunication service providers are set out in *In Re: Implementation of the Telecommunications Act of 1996*, Docket No. M-00960799 (Order entered June 3, 1996; Order on Reconsideration entered September 9, 1996) (*TA-96 Implementation Orders*).

² Section 3018(b)(2) of the Code, 66 Pa.C.S. § 3018(b)(2) gives IXCs the option to: (1) file and maintain tariffs with the Commission, (2) file and maintain price lists with the Commission, or (3) detariff. Further, our regulation at 52 Pa. Code § 63.104 outlines the disclosure requirements for filing and maintaining tariffs or operating as a detariffed IXC. The Applicant has elected to operate as a detariffed IXC-R, subject to Pennsylvania state contract and consumer protection laws.

³ See 54 Pa. B. 5204 (August 10, 2024).

Applicant was granted a waiver concerning publishing notice of its Application in newspapers of general circulation. The protest period for this Application expired August 20, 2024. The assigned utility code is 3126925.

The Applicant complied with notice requirements set forth in our *TA-96 Implementation Orders* by serving a copy of its Application upon the aforementioned incumbent local exchange carriers (ILECs), the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Attorney General. No protests were filed and no hearings were held.

Information concerning the Applicant is as follows:

- The Applicant is Incorporated in Delaware with its principal place of business at 14850 Woodham Drive Suite B-105, Houston, TX 77073 Phone (713) 255-7500.
- The Applicant complied with Pennsylvania law relating to a foreign limited liability company.
- The Applicant's registered office provider within Pennsylvania is Incorp Services Inc. 7208 Red Top Rd, Hummelstown, PA 17036.
- The Applicant's Pennsylvania Emergency Management Agency contact is Ken Bonvillian at company headquarters, telephone (713) 405-1082, email Ken.Bonvillian@ezeefiber.com.
- Correspondence to resolve complaints may be directed to Ken Bonvillian, at company headquarters, telephone (713) 405-1082, email Ken.Bonvillian@ezeefiber.com.
- The Applicant will be using a fictitious name: Ezee Fiber
- The Applicant is certificated to offer local exchange services in the states of Oregon, Texas and Washington.

- The Applicant has no affiliates or predecessors within Pennsylvania.
- The Applicant has no affiliates rendering or predecessors which rendered public utility service outside Pennsylvania.

The Applicant understands that if it plans to cease doing business within the Commonwealth of Pennsylvania, it is under a duty to request authority from the Commission for permission prior to ceasing such operations.⁴

The Applicant will provide CLEC services on a facilities-based and resold basis, including wholesale services to other carriers, intrastate private line services, and non-facilities-based interexchange telecommunications services on a resold basis.⁵

Issues affecting CLECs have been addressed in a number of Commission proceedings.⁶ A CLEC applicant is expected to adhere to the requirements relative to universal service programs, as initially set forth or as subsequently enlarged or modified.⁷ Also, per federal rules, CLECs are required to ensure the efficient usage of their numbering resources and are required to semi-annually report their utilization and forecast data to the North American Numbering Plan Administrator. *See* 47 C.F.R. §§ 52.5 *et seq.* Any CLEC failing to comply with state and/or federal orders related to numbering may be subject to the reclamation of their numbering resources as well as fines pursuant to the Public Utility Code, 66 Pa.C.S. § 3301. *See Implementation of Numbering Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000 – NXX Code*

⁴ 66 Pa. C.S. § 1102(a)(2).

⁵ Application p. 4.

⁶ *See, e.g., MFS Intelenet et al.* Docket Nos. A-310203F0002 *et al.*, (Orders entered October 4, 1995; July 31, 1996; and August 7, 1997); *Pa. PUC v. Bell*, Docket No. R-00963578 (Order entered February 6, 1997); *Pa. PUC v. GTE*, Docket No. R-00963666 (Order entered May 9, 2002); *Joint Petition of Nextlink Pennsylvania, Inc. et al.*, Docket Nos. P-00991648 and P-00991649 (Order entered September 30, 1999), *aff'd sub nom. Bell Atlantic-Pennsylvania, Inc. v. Pa. PUC*, 763 A.2d 440 (Pa. Cmwlth 2000), *vacated in part sub nom. MCI Worldcom Inc. v. Pa. PUC*, 844 A.2d 1239 (Pa. 2004) (state court lacked jurisdiction to review unbundled network elements) (*Global Order*); as well as other proceedings.

⁷ *See Universal Service Investigation*, Docket No. I-00940035 (Order entered January 28, 1997).

Reclamation, Docket No. M-00001373 (Order entered August 22, 2000), 30 *Pa.B.* 4701 (Commission established process for reclaiming NXX codes from carriers that have failed to activate them within six months of their availability for assignment to customers).

Further, Section 253(b) of TA-96 permits a state Commission to impose, on a competitively neutral basis and consistent with universal service provisions, requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers. In response, we articulated explicit concerns relative to an applicant's financial fitness, tariff compliance, and rates.⁸ In this case, the Applicant has provided financial information to support its Application. We conclude that the Applicant has demonstrated that it is financially capable of providing telecommunications services as a CLEC, an IXC-R, and a CAP.

Applicants are also required to be technically and managerially capable of providing public utility service. In the notarized affidavit in the Application, the Applicant swears and affirms its ability and commitment to providing the proposed services in full compliance with all provisions of Pennsylvania and federal law. Additionally, we again note that no entities contested the fitness of the Applicant. We therefore conclude that the Applicant has sufficiently demonstrated that it possesses the requisite technical and managerial fitness elements to provide the proposed services.

The Commission requires that applicants seeking to provide local telecommunications services in Pennsylvania take steps to protect the public safety of consumers. One means of ensuring the public safety of consumers in the increasingly competitive telecommunications marketplace is to ensure that new entrants provide their consumers with access to a seamless communications infrastructure for emergency

⁸ See *Application of Blue Ribbon Rentals II, Inc., d/b/a Talk One America, for Authority to Begin to Offer, Render, Furnish, or Supply Competitive Local Exchange Telecommunication Services to the Public in the Commonwealth of Pennsylvania*, Docket No. A-310442 (Orders entered April 25 and August 4, 1997).

services, such as 911. Therefore, in accordance with the notarized affidavit (item #22 in the Application), the Applicant avers that it has contacted by certified letter each county or municipal authority where it intends to provide CLEC telecommunications services and made the necessary arrangements for the provisioning of emergency 911 service.

We conclude that the Applicant has met the requirements for certification as a CLEC, a CAP, and as a detariffed IXC-R, consistent with this Order. Premised upon our review of the Application and the proposed tariffs, and consistent with our Orders, the Code, our regulations and TA-96, we conclude that the Applicant's proposed services do not raise concerns at this time regarding safety, adequacy, reliability, or privacy. We note, however, deficiencies in the proposed tariffs.

Section 1103(a) of the Code authorizes the Commission to approve an application "only if the commission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public." 66 Pa.C.S. § 1103(a). Premised upon our review of the Application and the proposed tariff, we conclude that the Applicant's request to construct and install a high-speed fiber optic network capable of providing IP-based services, including internet access, data transport, and VoIP to serve end-user customers is consistent with the aforementioned statutory criteria in the Code and also with our Orders, our regulations, and TA-96, as the Applicant's proposed services do not raise concerns at this time regarding safety, adequacy, reliability, or privacy. Further, through the attestations in and attachments to its application, and absence of any information to the contrary, the Applicant has demonstrated that it is financially, managerially, and technically capable of providing special access services as a CAP. Consistent with the aforementioned, we conclude that the Applicant meets the requirements for certification as a CAP, an IXC Reseller, and a CLEC, consistent with this Order.

We shall direct the Applicant to revise the proposed tariffs in accordance with the changes noted in Appendix A of this Order.⁹ The Applicant shall thereafter file its Initial Tariffs reflecting the requested changes on or before sixty days from the date of entry of this Order. The Applicant may file its Initial Tariffs electronically, consistent with Commission rules.¹⁰ Copies of the Initial Tariffs shall also be served upon the same entities receiving service of the original Application, including the incumbent local exchange carriers. If the time required for such resolution and filing exceeds sixty days, the Applicant may request an extension of an additional sixty days with the Commission's Secretary. Thus, if the Initial Tariffs are not filed within sixty days (120 days including the extension) of the entry of this Order, the Application will be dismissed and the authority granted herein will be revoked without further Commission Order.

We note that the Commission will only approve tariff provisions regarding limitation of liability consistent with law. Any tariff provisions contained in the Initial Tariffs regarding limitation of liability inconsistent with any applicable laws, rules and regulations will be deemed inoperative and superseded.

To the extent that the proposed tariffs contain rates, the Initial Tariffs may become effective on one day's notice from the date upon which they are filed and served.

In addition, we note that no switched access tariff accompanied the Application. Therefore, the Applicant is not permitted to apply access charges, e.g., originating and terminating access billed to interexchange carriers.

Carriers are required to provide telecommunications service to customers in Pennsylvania within one year of certification.¹¹

⁹ Regardless of the review process, any tariff provision(s) inconsistent with the provisions of the Code, TA-96, our regulations, or Orders will be deemed inoperative and superseded.

¹⁰ See *Final Rulemaking to Permit Electronic Filing*, Docket No. L-00070187 (Order entered May 23, 2008).

¹¹ For complete details regarding this requirement, including consequences for non-compliance, see *Final Order Regarding the Commission's Plan to Implement a One-Year Timeframe for Inactive Telecommunication Carriers to*

In accordance with the affidavit that accompanied the application for a Certificate of Public Convenience, the Applicant has agreed to abide by all applicable federal and state laws and regulations and by the decisions of the Commission. We remind the Applicant that, in accordance with our *TA-96 Implementation Orders*, a public utility that seeks Commission certification or that is certificated in Pennsylvania to provide telecommunications service, as defined by state and federal law, must provide the service in full compliance with all applicable provisions of Pennsylvania and federal law. This includes compliance with Section 1511 of Pennsylvania's Business Corporation Law, 15 Pa.C.S. § 1511,¹² when siting facilities/equipment in public rights-of-way. Failure to comply with applicable law may result in fines being imposed against a public utility or in the suspension or revocation of the utility's Certificate of Public Convenience, consistent with due process.

We remind the Applicant that certificated public utilities in Pennsylvania are required to file with the Commission an accurate annual financial report and an accurate separate statement of gross intrastate (wholesale and retail) revenues for fiscal assessment purposes, as received from operations conducted pursuant to the authority granted by the Commission's certification order.¹³ This requirement includes filing an accurate and separate statement of gross intrastate revenues from jurisdictional CAP services offered in Pennsylvania. Applicant is required to accurately and separately account for and report to the Commission its jurisdictional revenues related to the CAP portion of its business. Additional reporting of intrastate retail revenues is also required for the

Provide Service on an Annual Basis within the Commonwealth of Pennsylvania, Docket No. M-2011-2273119 (Order entered July 19, 2012).

¹² 15 Pa.C.S. § 1511(e) provides as follows: "A public utility corporation shall have the right to enter upon and occupy streets, highways, waters and other public ways and places for one or more of the principal purposes specified in subsection (a) and ancillary purposes reasonably necessary or appropriate for the accomplishment of the principal purposes, including the placement, maintenance and removal of aerial, surface and subsurface public utility facilities thereon or therein. Before entering upon any street, highway or other public way, the public utility corporation shall obtain such permits as may be required by law and shall comply with the lawful and reasonable regulations of the governmental authority having responsibility for the maintenance thereof."

¹³ See 66 Pa.C.S. § 510(b); see also 52 Pa. Code §§ 63.31 *et seq.* We note that flexibility for the Applicant's system of accounts is provided by our own annual reporting regulations for competitive local exchange carriers that the Applicant may also utilize. See generally 52 Pa. Code §§ 63.31(3) and 63.32(c).

purpose of Pennsylvania Universal Service Fund contribution assessments¹⁴. Failure to comply with applicable reporting requirements may result in billing for back payments due and the imposition of fines and/or other lawful remedies, including revocation of certification, consistent with due process.

Conclusion

Accordingly, consistent with the aforementioned statutory criteria in the Code and also with our Orders, our regulations, and TA-96, we shall grant the Application and issue Certificates of Public Convenience to provide IXC-R Services in the Commonwealth of Pennsylvania. Upon the approval of the Initial Tariffs, Certificates of Public Convenience shall be issued evidencing the Applicant's authority to provide services as a CAP throughout the Commonwealth of Pennsylvania and as a CLEC in the service territories of Verizon Pennsylvania LLC, Verizon North LLC, Brightspeed of Pennsylvania, LLC, Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company, and Windstream Pennsylvania, LLC, as described in the application and as consistent with this Order, our decisions cited herein, and such other proceedings; **THEREFORE,**

IT IS ORDERED:

1. That the Application of Ezee Fiber Texas, LLC d/b/a Ezee Fiber at Docket No. A-2024-3046957 for authority to operate as a detariffed Interexchange Carrier Reseller throughout the Commonwealth of Pennsylvania is granted, consistent with this Order and that a Certificate of Public Convenience be issued evidencing such approval.

2. That the Application of Ezee Fiber Texas, LLC d/b/a Ezee Fiber at Docket A-2024-3046959, for authority to operate as a Competitive Local Exchange Carrier

¹⁴ For complete details regarding this requirement, including consequences for non-compliance, see *Final Order Regarding the Commission's Plan to Implement a One-Year Timeframe for Inactive Telecommunication Carriers to Provide Service on an Annual Basis within the Commonwealth of Pennsylvania*, Docket No. M-2011-2273119 (Order entered July 19, 2012).

within the service territories of Verizon Pennsylvania LLC, Verizon North LLC, Brightspeed of Pennsylvania, LLC, Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company, and Windstream Pennsylvania, LLC within the Commonwealth of Pennsylvania is granted, consistent with this Order.

3. That the Application of Ezee Fiber Texas, LLC d/b/a Ezee Fiber at Docket No. A-2024-3046958, for authority to operate as a Competitive Access Provider throughout the Commonwealth of Pennsylvania, is granted, consistent with this Order.

4. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall either eFile or submit an original copy of its Initial Tariffs consistent with the requisite changes noted in Appendix A of this Order within sixty (60) days (120 days including an approved extension) after the date of entry of this Order. **Ezee Fiber Texas, LLC d/b/a Ezee Fiber is directed to identify any changes made to the proposed Initial Tariffs that are in addition to the changes noted in Appendix A.** Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall serve copies of its Initial Tariffs on each entity receiving a copy of the original Application. The Initial Tariffs may become effective on or after one (1) day's notice from the date upon which they are filed and served.

5. That an Initial Tariff shall be labeled on its face according to the respective authority: "Competitive Local Exchange Carrier Tariff" or "Competitive Access Provider Tariff."

6. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall comply with all the provisions of the Public Utility Code, as now exist or as may be hereafter amended, and with all pertinent rules, regulations, and Orders of this Commission, now in effect or as may be prescribed by this Commission, including those identified in this Order.

7. That if Ezee Fiber Texas, LLC d/b/a Ezee Fiber expands its local service into new counties in its currently authorized area of Verizon Pennsylvania LLC, Verizon North LLC, Brightspeed of Pennsylvania, LLC, Commonwealth Telephone Company

d/b/a Frontier Communications Commonwealth Telephone Company, and Windstream Pennsylvania, LLC. Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall contact the appropriate 911 coordinators, complete appropriate documents for 911 service for each, and provide the service list to said 911 coordinators with its tariff revisions as verification that arrangements are underway for the provisioning of emergency 911 service in the additional exchanges.

8. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall be actively engaged in providing telecommunications services on an annual basis within the Commonwealth of Pennsylvania within one calendar year of receiving a Certificate of Public Convenience, or seek an extension of the one-year time frame, consistent with the *Final Order Regarding the Commission's Plan to Implement a One-Year Timeframe for Inactive Telecommunication Carriers to Provide Service on an Annual Basis within the Commonwealth of Pennsylvania*, Docket No. M-2011-2273119 (Order entered July 19, 2012).

9. Ezee Fiber Texas, LLC d/b/a Ezee Fiber should desire to expand its service territory to that of additional incumbent local exchange carriers, Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall file an Application to amend its Certificate of Public Convenience and comply with all the requirements of the Application, including the completion of the affidavit and requirements thereto concerning Emergency 911 service.

10. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to Ezee Fiber Texas, LLC d/b/a Ezee Fiber, shall not be construed as conferring more than one operating right to Ezee Fiber Texas, LLC d/b/a Ezee Fiber.

11. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall maintain accurate accounting records that properly classify and segment its Competitive Local Exchange Carrier, Interexchange Carrier Reseller, and Competitive Access Provider revenues from its operations within the Commonwealth and file with the Commission an accurate

annual financial report and an accurate separate statement of all gross intrastate (wholesale and retail) revenues for fiscal assessment purposes.

12. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall maintain accurate accounting records that properly classify and segment its gross retail intrastate revenues for purposes of the Pennsylvania Universal Service Fund contribution assessment report.

13. That in accordance with Commission Orders entered on October 5, 2005, at Docket No. M00041857 and on August 21, 2006, at Docket No. L-00050176, Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall follow the reporting requirements outlined at the following website: http://www.puc.pa.gov/telecom/docs/Reporting_Requirements.docx.

14. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall file such affiliated interest agreements as may be necessary relative to any transactions with affiliates within thirty (30) days of entry of this Order.

15. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall make 711 abbreviated dialing available to access Telecommunications Relay Service and to arrange its switching equipment to translate these calls to the assigned toll-free number, (888) 895-1197, in order to route calls to the Telecommunications Relay Service Provider, in accordance with the Commission's Order entered on February 4, 2000, at Docket No. M-00900239.

16. That in the event that Pennsylvania Ezee Fiber Texas, LLC d/b/a Ezee Fiber has not, on or before sixty (60) days (120 days including an approved extension) from the date of entry of this Order, complied with the requirements set forth herein, the Application at Docket Nos. A-2023-3043668 and Nos. A-2023-3043667 shall be dismissed and the authority granted herein revoked without further Commission Order.

17. That upon the approval of the Initial Tariffs, Certificates of Public Convenience shall be issued authorizing Ezee Fiber Texas, LLC d/b/a Ezee Fiber to furnish services as a Competitive Local Exchange Carrier within the service territories of

Verizon Pennsylvania LLC; Verizon North LLC; Brightspeed of Pennsylvania, LLC; Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company; and Windstream Pennsylvania, LLC, and to furnish services as a Competitive Access Provider throughout the Commonwealth of Pennsylvania, consistent with this Order.

18. That changes and/or additions made to an approved, filed tariff shall be made in the form of supplements, consecutively numbered in the order of their filing dates, and the tariff designation shall be in the following manner: Supplement No. __ to Tariff Telephone Pa. P.U.C. No. ____.

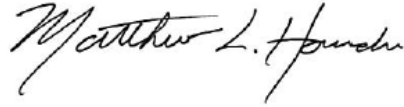
19. That Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall add its Pennsylvania tariffs to its website within thirty (30) days of the filing of its Initial Tariffs and mark them “Pending.” Within thirty (30) days of receipt of its Certificate of Public Convenience, Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall make any required modifications to the tariffs on its website and remove the “Pending” notation. Thereafter, Ezee Fiber Texas, LLC d/b/a Ezee Fiber will continually update the website whenever any supplemental revisions to the tariffs are approved by the Commission such that the website tariff is a true and accurate representation of its tariff on file with the Commission.

20. That within thirty (30) days of receipt of its Certificate of Public Convenience, Ezee Fiber Texas, LLC d/b/a Ezee Fiber shall contact Cyndi Page ((717) 787-5722; cypage@pa.gov) of the Commission’s Office of Communications to create a link from the Commission’s website to Ezee Fiber Texas, LLC d/b/a Ezee Fiber’s website.

21. That if Ezee Fiber Texas, LLC d/b/a Ezee Fiber plans to cease doing business within the Commonwealth of Pennsylvania, it shall request authority from the Commission for permission prior to ceasing as described in its Application and the body of this Order.

22. That a copy of this Order be served on the Bureau of Registration and Taxpayer Management in the Pennsylvania Department of Revenue and the Pennsylvania Emergency Management Agency Bureau of 9-1-1 Programs.

BY THE COMMISSION,

A handwritten signature in black ink, reading "Mathew L. Homsher". The signature is written in a cursive style with a large, stylized "M" and "H".

Mathew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: July 16, 2026

ORDER ENTERED: July 16, 2026

Ezee Fiber Texas, LLC d/b/a Ezee Fiber
Docket Nos. A-2024-3046957, A-2024-3046958 and A-2024-3046959
Proposed tariffs for Competitive Local Exchange Carrier Services
and Competitive Access Provider Services

The proposed tariffs contain certain deficiencies that must be addressed by the Applicant before the tariffs can be approved and the Certificates of Public Convenience issued.

The Applicant must submit a copy of this Appendix with its revised compliance tariffs. On that copy, please note the page/sheet of the compliance tariffs where the required revision is located for each item below.

Tariff deficiencies noted – CLEC Local Tariff (A-2024-3046959), Tariff No. 1

1. All Sheets: Header and body should read as “Competitive Local Exchange Carrier.”
2. All Sheets: Change “Ezee Fiber Texas LLC” to “Ezee Fiber Texas LLC d/b/a Ezee Fiber”.
3. Add the following text to the Title Page:
 - The Company will mirror the exchange area boundaries as stated in the tariffs of Verizon Pennsylvania LLC Telephone Pa. P.U.C. No. 180A; Verizon North LLC Telephone Pa P.U.C. Nos. 1, 3, 5, and 6; Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company P.U.C. No. 24, Brightspeed of Pennsylvania, LLC Pa. P.U.C. No. 27, Windstream Pennsylvania, LLC Pa. P.U.C. No. 7.
 - The Company’s tariff is in concurrence with all applicable State and Federal Laws (including, but not limited to, 52 Pa. Code, 66 Pa.C.S. and the Telecommunications Act of 1934, as amended), and with the Commission’s applicable Rules and Regulations and Orders. Any provisions contained in this Tariff that are inconsistent with the foregoing mentioned will be deemed inoperative and superseded.
4. All Sheets: Enter issued and effective dates as per ordering paragraph.
5. All Sheets: Number all pages consecutively.
6. All Sheets: Add Section Numbers at the top of the page under the header. In addition, renumber the tariff sections so they are consisting through the entire tariff.

7. Check Sheet: Revise page numbers to align with each section and state the correct number of pages in the tariff.
8. Table of Contents: Revise page numbers to align with each section.
9. Original Sheet 14, Section II.A: Confirm section is in compliance with 52 Pa. Code §69.87.
10. Original Sheet 15, Section II.F: Confirm section is in compliance with 52 Pa. Code §69.87.
11. Original Sheet 60, Section 7-E: Correct the TRS section to reflect current rate of \$0.00.
12. Original Sheet 25, Definitions: Only include definitions of terms used in the tariff. Either remove the following or provide a reference to Commission staff as to where in this tariff these terms are used: “Non-Recurring Charges (NRC)”.
13. Original Sheets 26-44. Remove every instance where another telephone company is listed in parentheses from the local calling areas (example: (Windstream) or (Commonwealth Tel Co.)).
14. Original Sheet 60 (TRS Rate Page): Add a reference to where the local metered and measured rates are in the tariff.

Tariff deficiencies noted – CAP (A-2024-3046958) Tariff No. 2

1. Correct the Title to read:

COMPANY NAME
COMPETITIVE ACCESS PROVIDER CARRIER
Regulations and Schedule of Charges
2. Title Page: Add: “The Company’s tariff is in concurrence with all applicable State and Federal Laws (including, but not limited to, 52 Pa. Code, 66 Pa.C.S. and the Telecommunications Act of 1934, as amended), and with the Commission’s applicable Rules and Regulations and Orders. Any provisions contained in this Tariff that are inconsistent with the foregoing mentioned will be deemed inoperative and superseded.”
3. All Sheets: Enter issued and effective dates as per ordering paragraph.
4. All Sheets: Number all pages consecutively. For instance, every page in the tariff is Original Sheet 1.

5. All Sheets: Add Section Numbers at the top of the page under the header. In addition, renumber the tariff sections so they are consisting through the entire tariff.
6. Revise or change Original Sheet 1 to Title Page.
7. Table of Contents: Revise page numbers to align with each section. All pages currently show as Original Sheet 1.
8. Explanation of Symbols: Revise to comply with 52 Pa. Code Chapter 53.
9. Section 1.4: Confirm this section complies with “The limitations of liability tariff provisions should be generally consistent with the Commission’s relevant Policy Statement at 52 Pa. Code § 69.87 and the Commission Order under Docket No. M-00981209.”
10. Section 1.4.1.6.2, Warranties: Remove this paragraph.
11. Section 1.6.4, State where the terms of the contract are located in the tariff.
12. Section 1.9.2.4, Revise to comply with 52 Pa. Code §53.82(4).
13. Section 1.16.1: Specify the details of the initial one-year term in the tariff.
14. Section 1.18.1.3: It contains vague and undefined terms, remove or revise to provide specific criteria or defined terms.