

May 17, 2018

Via E-Filing

Mr. Daniel P. Wolf
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

Re; In the Matter of a Commission Inquiry into the Service Quality, Customer Service, and Billing Practices of Frontier Communications
MPUC Docket No.: P-407, 405/CI-18-122

Dear Mr. Wolf:

This letter is sent on behalf of Frontier Communications of Minnesota, Inc. and Citizens Telecommunications Company of Minnesota, LLC (collectively, “Frontier”) in order to achieve a timely and pragmatic resolution of notices of public hearings (“Hearing Notices”) by the Executive Secretary, as directed by the April 26, 2018 Order Initiating Investigation and Referring Matter for Public Hearings (the “*April 26 Order*”).

The topic of Hearing Notices and locations for public hearings were first discussed at a meeting of the parties on April 20, 2018 (the “April 20 meeting”), convened by Commission Staff. At the April 20 meeting, Frontier proposed to prepare a first draft of the Hearing Notices, to be sent to Commission Staff, and which Commission Staff instructed Frontier to also send to the Department of Commerce (“DOC”) and the Office of Attorney General (“OAG”). Sending copies to the DOC and AOG was intended to provide an opportunity for input on the Hearing Notices, the contents of which would be determined by the Executive Secretary (as subsequently provided in the *April 26 Order*)

On April 30, 2018, Frontier sent an initial draft of the Hearing Notices (“Frontier Initial Draft”) to Commission Staff, the DOC and the OAG. The Frontier Initial Draft included Frontier’s initial effort to include provisions that “clarify the limits of the Commission’s jurisdiction over internet service” as provided in the *April 26 Order*. Based on the April 20 meeting, Frontier anticipated either a further meeting or the submission of comments and alternatives to Commission Staff by the DOC and OAG. Frontier’s expectation of more discussion in an informal context is reflected in the notation on the Frontier Initial Draft that it was a “DRAFT FOR DISCUSSION ONLY.”

No further informal discussion occurred. Instead: (1) on May 2, 2018, the DOC filed its Petition for Reconsideration and/or Clarification (“DOC Petition”) quoting and challenging the Frontier Initial Draft before providing the participants in the April 20 meeting any prior feedback on the Frontier Initial Draft; (2) on May 14, 2018, the OAG filed its May 14, 2018 Answer to the

Department of Commerce's Petition for Reconsideration ("OAG Answer"), also without any further discussion of the Frontier Initial Draft; and (3) on May 16, 2018, the DOC filed its proposed Notice of Public Hearing ("DOC Draft Notice"). The DOC had provided the DOC Draft Notice to the ALJ and parties on May 9, 2018, and suggested that the ALJ resolve the contents of the public notice at that Prehearing Conference held on May 9, 2018. The ALJ declined to do so, and noted that the content of the Hearing Notices was a matter for the Executive Secretary to resolve under the *April 26 Order*.

Frontier now proposes modifications of the Frontier Initial Draft in order to: (1) facilitate resolution of the contents of the Hearing Notices by the Executive Secretary, as provided in the *April 26 Order*; (2) prevent premature and possibly unnecessary further litigation of jurisdiction-related issues; and (3) resolve the criticism in the OAG Answer that Frontier's Initial Draft is inconsistent with the Commission's position before the 8th Circuit concerning regulation of VoIP traffic, an inconsistency not intended by the Frontier Initial Draft. Specifically, Frontier is providing as an attachment to this letter a revised copy of its proposed Hearing Notices, which revises its Frontier Initial Draft as follows:

"The jurisdiction of the MPUC includes telephone services, but does not include Internet access services or the rates, speed, quality, or availability of access or connections to the Internet services. ~~or the communications services, such as Voice Over IP, that are provided using only the Internet.~~"

Frontier also proposes that other aspects of the Hearing Notice would also be resolved by the Executive Secretary.

Respectfully submitted,



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Attorneys on Behalf of Frontier Communications

Attachment

cc: Parties of Record

**Notice of Public Hearing for
Frontier Communications of Minnesota Customers**

MPUC Docket No. P407, 405/CI-18-122
OAH Docket No. _____

On April 26, 2018, the Minnesota Public Utilities Commission (MPUC) issued an Order initiating an investigation under Minnesota Statutes Section 237.081 concerning whether Frontier Communications of Minnesota, Inc. and Citizens Telecommunications of Minnesota, Inc., (collectively “Frontier”) are or have been in violation of any applicable customer service, service quality, or billing practices service quality, customer service and billing practices relating to telephone services provided by Frontier that are within the jurisdiction of the MPUC.

Public Hearings

The Order provides that public hearings to be conducted by the Office of Administrative Hearings. Public hearings will be held by Administrative Law Judge Jeffrey Oxley. Any Frontier customer or other person may attend and participate in the public hearings to provide comments. You do not need to be represented by an attorney in order to participate in the public hearings. You are invited to comment on adequacy and service quality, customer service, and billing practices concerning telephone services provided by Frontier.

The jurisdiction of the MPUC includes telephone services, but does not include Internet access services or the rates, speed, quality, or availability of Internet services.

Public hearings have been scheduled as follows:

| | |
|---|--|
| McGregor, Minnesota Day of Week, Date – Time Address Address | Slayton, Minnesota Day of Week, Date – Time Address Address |
| Ely, Minnesota Day of Week, Date – Time Address Address | Lakeville, Minnesota Day of Week, Date – Time Address Address |
| Wyoming, Minnesota Day of Week, Date – Time Address Address | |

Public notice of the hearing dates, times, and locations also will be published in local newspapers in our service area.

Submit Written Comments

Comment Period

- **Comments accepted through _____, 2018, at 4:30 p.m.**
- Comments must be received by 4:30 p.m. on the close date
- Comments received after the comment period closes may not be considered

Online

Visit www.mn.gov/puc, select *Speak Up!* To find this docket (18-122), and add your comments to the discussion.

U.S. Mail

If you wish to include an exhibit or other attachment, please send your comments via U.S. Mail.

Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

Written comments are most effective when the following items are included:

1. The Docket Numbers in the subject line or heading.
 - MPUC Docket Number P407,405/CI-18-122
2. Your name and connection to the docket.
3. The specific issues that concern you.
4. Any knowledge you have about the issues.

Important: Comments will be made available to the public on the MPUC's website, except in limited circumstances consistent with the Minnesota Government Data Practices Act. The MPUC does not edit or delete personally identifying information from submissions.

Accommodations

If any reasonable accommodation is needed to enable you to fully participate in these meetings (e.g., sign language or large print material), please contact the Office of Administrative Hearings at (651) 361-7000 (voice) (651) 361-7878 (TTY) at least one week in advance of the meeting.

CERTIFICATE OF SERVICE

In the Matter of a Commission Inquiry into the
Service Quality, Customer Service, and Billing
Practices of Frontier Communications

MPUC Docket No.: P-407, 405/CI-18-122

Karen E. Berg certifies that on the 17th day of May, 2018, she filed a true and correct copy of **Frontier's Letter to Daniel P. Wolf Regarding Resolution of Notices of Public Hearings**, by positing it on www.edockets.state.mn.us. Said document was also served via U.S. Mail and e-mail as designated on the Official Service List on file with the Minnesota Public Utilities Commission and attached hereto.

/s/ Karen E. Berg

Karen E. Berg

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|----------------|--------------------|--------------------------------------|-------------------------------------|--|--------------------|-------------------|-------------------------------------|
| Scott | Bohler | scott.bohler@ftr.com | Frontier Communications Corporation | 2378 Wilshire Blvd Mound, MN 55364-1652 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| Linda | Chavez | linda.chavez@state.mn.us | Department of Commerce | 85 7th Place E Ste 280 Saint Paul, MN 55101-2198 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| Brent | Christensen | bchristensen@mnta.org | Minnesota Telecom Alliance | 1000 Westgate Drive, Ste 252 St. Paul, MN 55117 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| Generic Notice | Commerce Attorneys | commerce.attorneys@ag.state.mn.us | Office of the Attorney General-DOC | 445 Minnesota Street Suite 1800 St. Paul, MN 55101 | Electronic Service | Yes | OFF_SL_18-122_Official Service List |
| Ian | Dobson | residential.utilities@ag.state.mn.us | Office of the Attorney General-RUD | 1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130 | Electronic Service | Yes | OFF_SL_18-122_Official Service List |
| Ron | Elwood | relwood@mnlsap.org | Mid-Minnesota Legal Aid | 2324 University Ave Ste 101 Saint Paul, MN 55114 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| Holly | Meger | hollym@mnvalleygrain.com | Minnesota Valley Grain Company LLC | 392 W Derrynane St PO Box 67 Le Center, MN 56057 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| Jeff | Oxley | jeff.oxley@state.mn.us | Office of Administrative Hearings | 600 North Robert Street St. Paul, MN 55101 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| William | Phillips | wphillips@aarp.org | AARP | 30 E. 7th St Suite 1200 St. Paul, MN 55101 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| Janet | Shaddix Elling | jshaddix@janetshaddix.com | Shaddix And Associates | 7400 Lyndale Ave S Ste 190 Richfield, MN 55423 | Electronic Service | Yes | OFF_SL_18-122_Official Service List |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|-----------|-----------------------|-------------------------------|--|--------------------|-------------------|--|
| Cam | Winton | owinton@mnchamber.com | Minnesota Chamber of Commerce | 400 Robert Street North Suite 1500 St. Paul, Minnesota 55101 | Electronic Service | No | OFF_SL_18-122_Official Service List |
| Daniel P | Wolf | dan.wolf@state.mn.us | Public Utilities Commission | 121 7th Place East Suite 350 St. Paul, MN 551012147 | Electronic Service | Yes | OFF_SL_18-122_Official Service List |