

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Order Instituting Rulemaking to Review
policies concerning intrastate carrier access
charges.

R. 03-08-018

**COMMENTS OF
CITIZENS TELECOMMUNICATIONS COMPANY OF CALIFORNIA INC.
D/B/A FRONTIER COMMUNICATIONS OF CALIFORNIA (U 1024 C),
FRONTIER COMMUNICATIONS WEST COAST INC. (U 1020 C) AND
FRONTIER COMMUNICATIONS OF THE SOUTHWEST INC. (U 1026 C)
ON ASSIGNED COMMISSIONERS RULING ON PROPOSED MODIFICATIONS TO
DECISIONS 06-04-071 AND 07-12-020 REGARDING INTRASTATE ACCESS
CHARGES**

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May 2, 2012

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Citizens Telecommunications Company of California Inc., d/b/a Frontier Communications Company of California, Frontier Communications West Coast Inc. and Frontier Communications of the Southwest Inc. (collectively ‘Frontier’) provide these comments in response to proposals set forth in the April 24, 2012 Assigned Commissioners Ruling on Proposed Modifications to Decisions 06-04-071 and 07-12-020 Regarding Intrastate Access Charges (“Ruling”). In addition Frontier points out an error in footnote 8, page 4 of the Ruling, which should be corrected.

Frontier is concerned by the Commission’s rush to make changes to Decisions 06-04-071 and 07-12-020. It is understood that many carriers must begin compliance with the FCC’s USF/ICC Transformation Order regarding intrastate access rate reductions by July 1, 2012. The prior decisions adopted access rate reform for carriers that are in place today and Frontier understands that at some point the Commission may want to undertake an orderly process to modify these decisions. However, carriers and Commission staff can meet the compliance

requirements, a rushed process to adopt modifications to these decisions, which may have potential ramifications beyond the FCC required access rate compliance filings effective July 1, 2012, is not necessary. Frontier urges the Commission to focus on the compliance filings and design an orderly process to address modifications to the decisions. A decision is not required or needed at this time to provide direction to Commission staff and carriers regarding compliance filings.

Proposal to Modify Decisions 06-04-071 and 07-12-020

As mentioned above, Frontier believes it is premature to “fast track” changes to the two decisions in this docket. If the fast track goal is to provide direction regarding access rate tariff filings Frontier advocates that this result can be accomplished by a separate letter from Commission staff. The FCC Order is quite clear in setting forth carrier responsibilities. Carriers should follow General Order 96-B guidelines for compliance filings. The Commission staff may work with carriers and to review carrier’s protected work papers to insure compliance. If the Commission believes that modifications to decisions in this proceeding are necessary, then an orderly procedure should be adopted to allow adequate time for review and comments. Frontier opposes the proposed schedule of a shortened 7 days comment period with no reply comments. Furthermore, the short notice with this Ruling is inadequate for an issue of this magnitude. The suggested timeline for a proposed decision does not allow carriers sufficient time to review the full impact of any modifications in light of the FCC Order.

Proposal for Supporting Data

The Ruling proposes very detailed data categories to support proposed rate calculations. Frontier operates in 27 states and has filing obligations throughout the country. Frontier has reviewed the FCC decision and understands the requirements to support its proposed changes to

its intrastate access rates, and has developed work papers and consistent assumptions for its filings. The FCC Order provides direction and Frontier's models and work papers conform to that direction and are geared to support its filings. To adapt to multiple standards, especially at this stage in the process adds undue burden and cost on Frontier. The Commission has been aware of this upcoming filing for many months. The Ruling suggests additional specific requirements that are not necessary. Frontier advocates allowing carriers to file the compliance filings and work with staff to implement the filings. If the Commission seeks to impose additional requirements, those requirements should be discussed in a more carefully considered and less rushed proceeding.

Carrier Access to Underlying Data

Frontier opposes the Commission allowing "carte blanche" review of underlying data based on requests by outside parties and competitors. The Commission staff is qualified to review a company's filing and supporting work papers. To allow access to other parties (despite a non disclosure agreement) opens the door for competitors to seek access to sensitive cost and demand information. In addition, such review will make the approval process much more complicated and time-consuming. If a carrier or other third party has a concern, there are current procedures to challenge a filing within the Commission rules and regulations. Providing a Commission-ordered special streamlined process is not warranted. Moreover, Frontier maintains that this is a FCC compliance filing. It is up to individual companies and the Commission staff to insure that rates filed meet the FCC requirements.

Reference to Frontier Companies in Footnote 8 is Incorrect

The reference in footnote 8 on page 4 of the Ruling to Frontier's California incumbent local exchange companies is incorrect. The footnote incorrectly refers to Frontier's five companies in California. The footnote should say three companies.

Shortened Comment Period on Proposed Decision

There should not be any rush to modify the two previous decisions in this docket. A shortened comment period of 7 days on a proposed decision with no opportunity for reply comments does not allow procedural due process. Such an approach could result in unintended consequences, and a decision that fails to fully consider all the issues. The Commission should take its time and insure that all relevant aspects of the two prior decisions in relation to the FCC Order are fully examined and addressed in standard notice and comment procedures, with an opportunity for all interested parties to file comments and reply comments.

Conclusion

The Commission should not rush to modify the two decisions previously issued in the proceeding. Any modifications should be made based on a full cycle of comments and reply comments and not shortened to meet a perceived need to provide direction for access rate filings. Such approach is not necessary in order for carriers to file compliance advice letters to meet the July 1, 2012 intrastate access requirements. The Commission staff and carriers can work with carriers to insure proper compliance in the filings. Carriers should not be required to provide confidential data to carriers or other third parties as part of the compliance process, and any changes to current procedures should be based upon a more carefully considered process.

May 2, 2012

Respectfully submitted,

CITIZENS TELECOMMUNICATIONS COMPANY OF CALIFORNIA INC. D/B/A
FRONTIER COMMUNICATIONS OF CALIFORNIA, FRONTIER COMMUNICATIONS
WEST COAST INC. AND FRONTIER COMMUNICATIONS OF THE SOUTHWEST INC.



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