

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Revision of ARMIS Annual Summary Report)
(FCC Report 43-01), ARMIS USOA Report)
(FCC Report 43-02), ARMIS Joint Cost Report)
(FCC Report 43-03), ARMIS Access Report)
(FCC Report 43-04), ARMIS Service Quality)
Report (FCC Report 43-05), ARMIS Customer)
Satisfaction Report (FCC Report 43-06), ARMIS)
Infrastructure Report (FCC Report 43-07),)
ARMIS Operating Data Report (FCC Report 43-)
08), ARMIS Forecast of Investment Usage Report)
(FCC Report 495A), and ARMIS Actual Usage of)
Investment Report (FCC Report 495B) for Certain)
Class A and Tier 1 Telephone Companies)
CC Docket No. 86-182

ORDER

Adopted: March 20, 2014

Released: March 20, 2014

By the Chief, Industry Analysis and Technology Division, Wireline Competition Bureau:

1. On March 13, 2014, FairPoint Communications, Inc. (FairPoint) requested a 60-day extension of time to file its 2013 Automated Reporting Management Information System (ARMIS) reports for its two study areas associated with Northern New England Telephone Operations LLC and its one study area associated with Telephone Operating Company of Vermont LLC.1 In support of its request for a waiver of the April 1 deadline in Commission rule 43.21,2 FairPoint asserts that the personnel who prepare its ARMIS reports "have been engaged virtually full-time for the past 13 weeks in responding to data requests in state regulatory proceedings to which FairPoint is a party."3 FairPoint states that this state proceeding, the first full rate review in Maine in the last 20 years, has involved 478 data requests and has consumed 1,426 person days of FairPoint's staff's time. Although FairPoint claims it has begun gathering the data for the 2013 ARMIS reports, FairPoint does not believe it will be able to complete them by the April 1 deadline.

2. We have reviewed FairPoint's request for a waiver of the ARMIS report filing deadline. Although we do not routinely grant extensions of time, we find merit in FairPoint's argument. We expect carriers to work diligently to meet both their state and federal regulatory obligations. Nonetheless, we recognize that the first complete rate review in 20 years is a proceeding not within the ordinary course of business. It is likely that the regulatory and financial personnel who must respond to the data requests in

1 Letter from Karen Brinkmann, Counsel to FairPoint, to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 86-182 (filed Mar. 13, 2014) (FairPoint Letter).

2 47 C.F.R. § 43.21("[E]ach annual report required by this section shall be filed no later than April 1 of each year, covering the preceding calendar year.").

3 FairPoint Letter at 1 (footnote omitted).

that rate review are the same personnel who prepare ARMIS reports. Moreover, given that the rate review proceeding is occurring during the period when FairPoint would first have access to year-end 2013 data, FairPoint would not have had an opportunity to prepare its ARMIS reports prior to the beginning of the rate review. We therefore find a 60-day extension of the deadline for FairPoint to file its ARMIS reports for the three study areas identified above warranted.

3. ACCORDINGLY, IT IS ORDERED that, pursuant to sections 0.91, 0.291, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 1.46, that the FairPoint Communications, Inc. Request for Waiver of section 43.21 of the Commission's rules, 47 C.F.R. § 43.21, is GRANTED to the extent described herein and FairPoint Communications, Inc. has an extension of time until June 1, 2014 to file its initial rule its 2013 ARMIS reports for its two study areas associated with Northern New England Telephone Operations LLC and its one study area associated with Telephone Operating Company of Vermont LLC.

FEDERAL COMMUNICATIONS COMMISSION

Rodger A. Woock,
Chief
Industry Analysis and Technology Division
Wireline Competition Bureau