

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

In the Matter of)
)
Investigation of Certain Price Cap Local Exchange) WC Docket No. 15-247
Carrier Business Data Services Tariff Pricing Plans)
)

ORDER

Adopted: March 31, 2016

Released: March 31, 2016

By the Chief, Pricing Policy Division, Wireline Competition Bureau:

1. On March 17, 2016, Verizon Telephone Companies (“Verizon”) filed with the Commission tariff revision Transmittal No. 1330, which revises Verizon Tariff F.C.C. Nos. 1, 11, 14, 16, 19, 20, 21, and 22 to remove specified regulations, rates and charges for the states of California, Florida, and Texas following the transfer of certain assets, liabilities, and contracts to Frontier Communications Corporation.¹ Verizon’s Transmittal No. 1330 is scheduled to become effective on April 1, 2016.

2. Simultaneously on March 17, 2016, Frontier Telephone Companies (“Frontier”) filed with the Commission tariff revision Transmittal No. 63, which revises Frontier Tariff F.C.C. No. 7 and establishes new Frontier Tariff F.C.C. Nos. 13 and 14 for the anticipated closing of Frontier’s acquisition of the local exchange and related business assets of Verizon in the states of California, Florida and Texas at midnight on March 31, 2016.² Frontier’s Transmittal No. 63 is also scheduled to become effective on April 1, 2016.

3. Frontier’s new F.C.C. Tariff Nos. 13 and 14 contain the same issues regarding the terms and conditions in various pricing plans that the Commission designated for investigation in the above-referenced docket for Verizon’s Tariff F.C.C. Nos. 14 and 16. When any Commission action is taken on this investigation, Frontier will be the successor incumbent local exchange carrier. Therefore, Frontier will be required to implement any tariff revisions the Commission may order as a result of this investigation with respect to the issues contained in the tariffs referenced above in this paragraph.

4. Accordingly, IT IS ORDERED that pursuant to section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), and sections 0.91 and 0.291 of the Commission’s rules, 47 CFR §§ 0.091, 0.291, the Verizon pricing plans subject to the tariff investigation in the above-referenced docket that are included in the new Frontier Tariff F.C.C. Nos. 13 and 14 ARE SUSPENDED for one day from the effective date and an investigation of the referenced transmittal IS INSTITUTED AND INCORPORATED within WC Docket No. 15-247.

5. IT IS FURTHER ORDERED that Frontier SHALL FILE tariff revisions within five business days of the release date of this Order to reflect this suspension. Frontier should cite the “DA” number of this Order as its authority to make this tariff filing.

¹ Transmittal No. 1330 from Frederick Moacdieh, Executive Director-Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, FCC (https://apps.fcc.gov/efgs/public/view_162067_pdf.action?id=162067) (filed Mar. 17, 2016).

² Transmittal No. 63 from Kevin Clinefelter, Manager, Pricing & Tariffs, Frontier, to Office of the Secretary, FCC (https://apps.fcc.gov/efgs/public/view_161936_pdf.action?id=161936) (filed Mar. 17, 2016).

6. IT IS FURTHER ORDERED that, pursuant to Sections 4(i) and 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 204(a), Frontier SHALL KEEP an accurate account of all amounts received by reason of any shortfall penalties or other penalties imposed in relation to the terms and conditions that are subject to this investigation.

FEDERAL COMMUNICATIONS COMMISSION

Pamela S. Arluk
Chief
Pricing Policy Division
Wireline Competition Bureau