

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

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

ORDER

Adopted: June 30, 2016

Released: June 30, 2016

By the Chief, Wireline Competition Bureau:

1. In this Order, the Wireline Competition Bureau (Bureau) grants a request filed by Frontier Communications Corporation (Frontier) seeking additional time to comply with the *Tariff Investigation Order*, which required it to revise and/or remove language in certain of its tariff pricing plans.<sup>1</sup>

2. On May 2, 2016, the Commission released the *Tariff Investigation Order*.<sup>2</sup> In that Order, the Commission concluded that various incumbent LEC pricing plans were unjust and unreasonable and directed the incumbent LECs at issue, including Frontier, to submit a number of tariff revisions modifying or removing language from those plans. Specifically, the Commission directed Frontier to remove the relevant language requiring customers to aggregate all of their purchases under a single plan from the DS1 OPP and TPP, TVPs and NDP.<sup>3</sup> In addition, the Commission required Frontier to remove the shortfall provisions from the OPP and NDP and the early termination provisions from the OPP, but noted that it may elect to file tariff revisions that are no greater than the amount of revenue that a customer would have paid had it met its minimum volume or term commitments.<sup>4</sup> The Commission provided sixty (60) days for impacted incumbent LECs to file the tariff revisions, which requires the revisions to be filed by July 1, 2016.<sup>5</sup>

3. On June 29, 2016, Frontier filed a request for a limited extension of time to file the revisions related to the NDP.<sup>6</sup> Frontier states that it needs a limited extension in order “to provide additional background information related to how its proposed updates to the NDP would affect existing

<sup>1</sup> See Frontier Communications Corporation (Frontier), Motion for Extension of Time, WC Docket No. 15-247 (filed June 29, 2016) (Frontier Motion).

<sup>2</sup> *Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans*, WC Docket No. 15-247, Tariff Investigation Order, FCC 16-54 (rel. May 2, 2016) (*Tariff Investigation Order*).

<sup>3</sup> *Id.* at para. 110.

<sup>4</sup> *Id.* at paras. 140 and 158.

<sup>5</sup> *Id.* at paras. 110, 140 and 158.

<sup>6</sup> We note that the extension request is only related to the NDP. Frontier has stated it will file revised language to all other plans affected by the Tariff Investigation on or before July 1, 2016. Frontier Motion at 1.

and potential customers.”<sup>7</sup> Frontier explains that “due to limited customer enrollment, limited customer demand, and complexity associated with administering the plan, Frontier plans to grandfather the NDP, allowing existing customers to continue subscribing to the plan and closing the plan to new customers.”<sup>8</sup> Frontier states that there has been no interest from potential customers in the NDP, and Frontier only has two customers on that plan, one of which subscribes to fewer than five circuits under the plan.<sup>9</sup> Frontier explains that it only just acquired the NDP from Verizon in April, 2016 and would be grandfathering the plan, notwithstanding the tariff investigation, due to the “significant complexity associated with administering it.”<sup>10</sup> Finally, Frontier notes that it previously grandfathered a version of this plan covering other properties it acquired from Verizon in 2010.<sup>11</sup> Frontier requests an extension of time until July 15, 2016 for filing its revisions to the NDP.<sup>12</sup>

4. Section 1.46 of the Commission’s rules provides that “[i]t is the policy of the Commission that extensions of time shall not be routinely granted.”<sup>13</sup> Upon review, we agree that a modest time extension will permit Frontier to provide additional information associated with this plan and its proposed provisions, which will be helpful to both the Commission, and potential and existing customers in evaluating the tariff revisions.

5. Accordingly, IT IS ORDERED, pursuant to sections 1, 2, 4(i), 4(j), and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i), 154(j), and 155(c), sections 0.91, 0.291, and 1.46 of the Commission’s rules, 47 CFR §§ 0.91, 0.291, and 1.46, that the request for extension of time filed by Frontier is GRANTED and it should file the required tariff revisions to the NDP no later than July 15, 2016.

6. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission’s rules, 47 CFR § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Matthew S. DelNero  
Chief, Wireline Competition Bureau

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 2.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> 47 CFR § 1.46.