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November 10, 2015

Via Electronic Filing

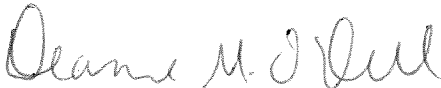
Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Petition of Communications Workers of America for a Public, On-the-Record
Commission Investigation of the Safety, Adequacy, and Reasonableness of Service
Provided by Verizon Pennsylvania LLC, Docket No. P-2015-2509336

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Answer of Full Service Network, LP in Support of
Petition of Communication Workers of America with regard to the above-referenced matter.
Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Deanne M. O'Dell

DMO/lww
Enclosure

cc: Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Full Service Network's Answer in Support of Petition of Communications Workers of America upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and/or First Class Mail

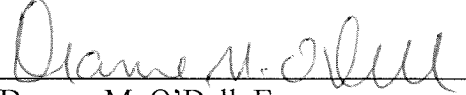
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Deanne M. O'Dell, Esq.

Date: November 10, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Communications Workers of :
America for a Public, On-the-Record : Docket No. P-2015-2509336
Commission Investigation of the Safety, :
Adequacy, and Reasonableness of Service :
Provided by Verizon Pennsylvania LLC :

**ANSWER OF FULL SERVICE NETWORK, LP
IN SUPPORT OF PETITION OF COMMUNICATIONS WORKERS OF AMERICA**

On October 21, 2015, the Communications Workers of America (“CWA”) filed the above-captioned Petition asking the Commission to initiate a public, on-the-record investigation into the safety, adequacy, and reasonableness of the facilities and services of Verizon Pennsylvania LLC (“Verizon”). According to the Petition, Verizon is seriously and systematically neglecting its copper infrastructure. As a result of this neglect, Verizon is creating unsafe situations for its employees and customers and failing to provide safe, adequate and reasonable service to its customers.

Full Service Network, LP (“FSN”) is one of those customers who is not receiving safe, adequate and reasonable service from Verizon due to Verizon’s neglect of the copper infrastructure. As a wholesale customer of Verizon, FSN purchases products from Verizon and then resells those products to retail customers. These products include those supported by the copper infrastructure. As explained more fully below, FSN has first-hand experience regarding Verizon’s decision to effectively abandon the copper infrastructure and, as a result, FSN is seriously concerned about the negative impact of Verizon’s decisions on FSN’s ability to continue to provide resale service to FSN’s retail customers.

For these reasons, FSN supports the CWA Petition and recommends that the comprehensive, state-wide investigation also include an analysis of: (1) whether Verizon is

offering its retail services for resale on nondiscriminatory and reasonable terms, (2) whether Verizon is assuring the provision of adequate access to its services and facilities to wholesale customers; (3) whether Verizon is giving itself, or any other corporate subunit, any preference or advantage in the repair and maintenance of its facilities; (4) whether Verizon's actions are a de facto or other effort to abandon its copper infrastructure; and, if so, (5) whether Verizon has received the appropriate authority from the Commission to do so. FSN is available and willing to participate in the investigation in anyway the Commission may deem useful.

In further support of this answer, FSN avers as follows:

I. INTRODUCTION AND BACKGROUND

1. FSN is a Pennsylvania certificated competitive local exchange carrier ("CLEC") and facilities-based interexchange carrier ("IXC"). FSN was created in Pittsburgh, Pennsylvania in 1989 as a long distance reseller serving only business accounts following the divestiture of AT&T. In 1999, FSN entered the local telecommunications market. Over time, FSN installed its own network facilities and expanded its corporate structure and today provides a complete range of services including long distance, toll-free service, internet and local telephone services. FSN serves primarily residential customers, largely via resale. Thus, FSN purchases services from Verizon as a wholesale customer of Verizon and then resells the services to FSN's retail customers.

2. Resale is a competitive alternative to Verizon's service and one of the fundamental methods of competitive entry envisioned by the Telecommunications Act as it can and does provide an attractive landline competitive voice alternative which can be particularly important for customers who are not interested in broadband, broadband/VoIP, or wireless services or may live in areas where such services are not availability. FSN purchases services from Verizon as a wholesale customer of Verizon

and offers resold retail services primarily to residential customers. Oftentimes, FSN can offer these resold products to retail customers for less cost or with additional products and services beyond the Verizon equivalent offering.

3. Many of FSN's resale customers are in locations where alternatives to Verizon's copper based services are not available. Additionally, some of FSN's resale customers prefer landline service which is based on Verizon's copper infrastructure. Through resale, FSN is able to provide a competitive landline alternative to Verizon. However, FSN's ability to resale landline service to retail customers is dependent on Verizon's maintenance and repair of the underlying copper infrastructure which is the subject of the Petition. As such, FSN is dependent on Verizon to maintain and service the underlying copper infrastructure so that FSN can continue to offer these alternative products to retail customers on a resale basis..

II. LEGAL AUTHORITY

4. As the Petition correctly notes, the Public Utility Code requires Verizon to provide "adequate, efficient, safe, and reasonable service and facilities" and to "make all such repairs, changes, alternations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public." Petition at ¶ 10, citing 66 Pa. C.S. § 1501.

5. In addition, federal law requires Verizon to offer for "resale at wholesale rates any telecommunications service that the carrier provides at retail to subscribers..." and the Commission is tasked with the duty of ensuring that Verizon is offering its retail services

for resale on nondiscriminatory and reasonable terms.¹ Consistent with this authority, the Commission’s competitive safeguards regulations require Verizon to “assure the provision of adequate” access to its services and facilities.² These regulations also prohibit Verizon from giving itself, or any other corporate subunit, “any preference or advantage. . . in the repair and maintenance. . .” of Verizon’s facilities.³ Thus, the Commission is required to ensure that Verizon’s actions as described in the Petition: (1) do not result obviate Verizon’s requirement to provide FSN adequate access to its facilities; and, (2) do not give Verizon, or any other corporate subunit, a preference or advantage in the repair and maintenance of Verizon’s facilities.

6. Finally, to the extent Verizon’s actions as described in the Petition are a de facto or other effort to abandon its copper infrastructure, the Commission has made clear that before Verizon can abandon its copper in Pennsylvania, it must comply “with applicable state notice and other procedures, including those set forth in Section 1102(a)(2) of the Code.”⁴

7. To address violations of any or all of these legal requirements, the Commission is authorized to grant the relief requested in the Petition to conduct a thorough investigation into the adequacy, safety, efficiency, and reasonableness of Verizon’s services and

¹ 47 U.S.C. 251(b)(1) and (c)(4)(B); 66 Pa. Code § 63.143(1)(i). *See also, Wholesale Rate for Resale of Telecommunications Provided by Verizon Pennsylvania Inc. and Verizon North Inc.*, Docket No. R-00038516, Final Order entered March 4, 2005 (“*Wholesale Rates Order*”).

² 52 Pa Code § 63.141(a)(1)(emphasis added).

³ 52 Pa Code § 63.143(1)(i).

⁴ *Joint Petition of Verizon Pennsylvania LLC and Verizon North LLC for Competitive Classification of All Retail Services in Certain Geographic Areas and for a Waiver of Regulations for Competitive Services*, Docket Nos. P-2014-2446303 and P-2014-2446304, Final Implementation Opinion and Order entered September 11, 2015 at 25.

facilities in the non-FiOS portions of Pennsylvania and impose substantial civil penalties on Verizon as may be appropriate upon the conclusion of such investigation. 66 Pa. C.S. §§ 331(a), 501, 506, 1505(a), 3301.

III. IMPACT OF VERIZON'S FAILURE TO MAINTAIN AND REPAIR ITS COPPER INFRASTRUCTURE ON FSN AND ITS RESALE RETAIL CUSTOMERS

8. For those services FSN resells to retail customers that are dependent on the copper infrastructure, FSN is dependent on Verizon to maintain and repair the copper infrastructure.

9. FSN's own experiences support the allegations in the Petition that Verizon is failing to maintain and repair its copper infrastructure. Petition at ¶ 14. Throughout the Pittsburgh region, FSN technicians dispatched to test from resold Verizon NIDs are reporting back to FSN's dispatch an increasing number of Verizon copper DMARCs found to be in disrepair, wet terminals, and telco-side fractures in cables. In almost all cases it appears that upon receipt of a copper cable trouble ticket Verizon is moving the subscriber to another pair within the damaged facility and neglecting to repair the original damaged pair or the cable facility itself. This is consistent with the allegations in the Petition the Verizon is failing to maintain its current copper infrastructure and make necessary repairs.

10. In addition to not maintaining the copper infrastructure, Verizon is now systemically closing out many copper repair tickets stating "No Trouble Found" or "Good to the NID." In some of those cases, the customers do not even have a NID. If Verizon had actually dispatched to the location, it could have easily discovered that the customer is missing an actual NID. In other cases, FSN technicians have waited at customer sites for Verizon to arrive to make the repair while the ticket is mysteriously

closed by Verizon stating no trouble found. In those egregious examples it was not possible for Verizon to have shown up to make that “No Trouble Found” determination as FSN’s technicians were at the site waiting for the dispatch which never happened.

11. In addition to failing to maintain or repair the copper infrastructure, in certain instances, Verizon is actually destroying good copper lines without any advance notice to FSN or, presumably the Commission, with the end result of terminating service to FSN’s resale customer. Two of FSN’s business customers, one located at 425 6th Ave in Pittsburgh reported on September 2nd 2015 that a Verizon employee showed up unannounced at the FSN’s customer’s office stating that the “copper to the building is being removed.” The implicit message to FSN’s customer was that if the FSN customer did not switch to FiOS then the customer would lose service. Such an incredulous report seemed to suggest to FSN that perhaps the customer was visited by an overzealous FiOS salesman. Unfortunately, that was not the case and all services served over the resold copper to FSN’s two customers went completely out of service. These terminated services included inbound calling and access to Emergency 911. In response, FSN’s Service manager rushed to the location where he was able speak with two Verizon employees who confirmed that, in fact, they were ripping out all of the copper to the property on orders from Verizon management. One of the Verizon technicians on site agreed to leave enough copper pairs such that FSN’s customer could be put back in service – “for now.” While the customers’ service was restored a few hours later, uncertainly remains as to when Verizon will chose to harvest more perfectly functional copper in its apparent attempt to drive business customers to FiOS.

12. Consistent with the allegations in the Petition, the result of this lack of maintenance and repair and outright destruction of viable copper means that wholesale customers of Verizon, like FSN, are not receiving the safe, adequate, and reasonable service that Verizon is required by law to provide. Petition at ¶ 19.

13. First, as a reseller of Verizon's services, Verizon's lack of maintenance and repairs and/or destruction of copper directly impact FSN's provisioning of the service to FSN's retail customers. When Verizon fails to repair the copper infrastructure of one of FSN's retail customers or, worse yet, simply cuts the copper without any notice to FSN, this directly impacts the product FSN customers are currently using on a resale basis. When the underlying copper infrastructure is not repaired or, worse yet, cut without any notice, then the likelihood of FSN losing the customer is increased.

14. Second, and consistent with the examples set forth in the Petition, FSN's retail end users are negatively impacted by Verizon's failure to maintain and repair its copper infrastructure. Petition at ¶¶ 21-22. They can be negatively impacted by not having a problem adequately addressed or, as in the recent example explained above, by having all service terminated.

15. Finally, to the extent Verizon is not maintaining and repairing its copper infrastructure because of a corporate or other decision to focus money and efforts on its FiOS or wireless networks, Verizon is giving another corporate subunit a preference or advantage regarding repairs and maintenance. As explained above, the implied messaging preceding the destruction of FSN's customers' copper network was the customers should switch to Verizon's FiOS to maintain service.

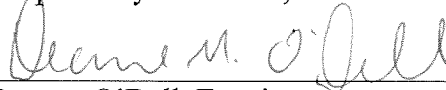
IV. CONCLUSION

16. For all the reasons set forth above in addition to those detailed in the Petition, opening the investigation as requested by CWA is justified and appropriate.

17. That investigation should include an analysis of: (1) whether Verizon is offering its retail services for resale on nondiscriminatory and reasonable terms, (2) whether Verizon is assuring the provision of adequate access to its services and facilities to wholesale customers; (3) whether Verizon is giving itself, or any other corporate subunit, any preference or advantage in the repair and maintenance of its facilities; (4) whether Verizon's actions are a de facto or other effort to abandon its copper infrastructure; and, if so, (5) whether Verizon has received the appropriate authority from the Commission to do so.

18. FSN is available and willing to participate in the investigation in anyway the Commission may deem useful.

Respectfully submitted,



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Date: November 10, 2015

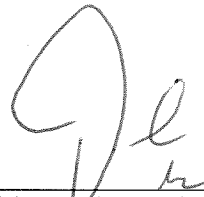
Attorney for Full Service Network, LP

VERIFICATION

I, David E. Schwencke, hereby state that I am President of Full Service Network LP and am authorized to make this verification on its behalf, and that the facts set forth in the attached Answer are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated:

11/10/15



David E. Schwencke, President
Full Service Network LP