



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

February 24, 2016

**Via E-Filing**

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

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

Dear Secretary Chiavetta:

Enclosed for electronic filing is the Notice of Intervention of the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement in the above-captioned matter.

Copies have been served on the parties of record in accordance with the attached Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Bradley R. Gorter  
Prosecutor  
PA Attorney ID No. 312666

Enclosure

cc: As per Certificate of Service  
Honorable Joel H. Cheskis

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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**NOTICE OF INTERVENTION OF THE  
BUREAU OF INVESTIGATION AND ENFORCEMENT**

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Pursuant to 52 Pa. Code §§ 5.71-76, the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) hereby gives Notice of Intervention in the above-captioned proceeding. In support thereof, I&E states as follows:

**INTRODUCTION:**

1. Act 129 of 2008 authorizes the Commission to establish bureaus, offices and positions to, *inter alia*, take appropriate enforcement actions that are necessary to insure compliance with the Public Utility Code and Commission regulations and orders. 66 Pa.C.S. § 308.2(a)(11).

2. In accordance with Act 129, the Commission established I&E to serve as the prosecutorial bureau for the purposes of representing the public interest in ratemaking and service matters, and enforcing compliance with the Public Utility Code, 66 Pa.C.S. §§ 101 *et seq.*, and Commission regulations, 52 Pa. Code §§ 1.1 *et seq.* See

*Implementation of Act 129 of 2008; Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (Order entered August 11, 2011).

3. I&E, through its prosecutors, has standing and authority to participate in all Commission proceedings and to initiate enforcement actions and prosecutions in the public interest. *Id.* at 5.

4. The names and contact information for I&E's prosecutors are as follows:

Bradley R. Gorter  
Prosecutor  
PA Attorney ID No. 312666  
[bgorter@pa.gov](mailto:bgorter@pa.gov)

Stephanie M. Wimer  
Prosecutor  
PA Attorney ID No. 207522  
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Michael L. Swindler  
Deputy Chief Prosecutor  
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Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
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**BACKGROUND:**

5. On October 21, 2015, the Communication Workers of America (“CWA” or “Petitioner”), by and through their counsel Scott J. Rubin, Esquire, filed its above captioned Petition requesting that the Commission institute an investigation into the

adequacy, safety and reasonableness of service provided by Verizon Pennsylvania, LLC (“Verizon”).

6. In its Petition, CWA alleges that Verizon has failed to maintain its physical plant with regard to copper facilities in violation of Section 1501 of the Public Utility Code, 66 Pa.C.S. § 1501. CWA alleges that Verizon has permitted its facilities to fall into a state of neglect and disrepair such that they pose safety hazards to its employees and the public, as well as impair service provided by Verizon to customers.

7. On November 3, 2015, the Office of Consumer Advocate filed a Notice of Intervention and Public Statement.

8. On November 10, 2015, Verizon filed an Answer to the Petition.

9. Also on November 10, 2015, Full Service Network, LP, (“FSN”) filed an Answer in Support of the Petition.

10. Verizon subsequently filed a Reply to New Matter in response to FSN’s Answer.

11. On November 10, 2015, the Office of Small Business Advocate filed a Notice of Appearance, a Notice of Intervention and a Public Statement.

12. An initial Pre-hearing Conference is scheduled in this matter on March 18, 2016, at 10:00 AM.

**INTERVENTION:**

13. As the Bureau within the Commission that is responsible for ensuring compliance with the Public Utility Code and Commission regulations and orders, I&E is intervening in this proceeding to protect the public interest. I&E will seek to determine

whether Verizon violated provisions of the Public Utility Code, Commission regulations and orders regarding the allegations raised in CWA's Petition. Further, if Verizon violated the Public Utility Code and Commission regulations and orders, I&E will seek to determine the appropriate civil penalty amount and any other necessary relief that should be imposed upon Verizon.

Respectfully submitted,



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Bradley R. Gorter  
Prosecutor  
PA Attorney ID No. 312666

Stephanie M. Wimer  
Prosecutor  
PA Attorney ID No. 207522

Michael L. Swindler  
Deputy Chief Prosecutor  
PA Attorney ID No. 43319

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Date: February 24, 2016

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

### Service by First Class Mail and Email:

Scott J. Rubin, Esq.  
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333 Oak Lane  
Bloomsburg, PA 17815

Elizabeth Rose Triscari, Esq.  
Office of Small Business Advocate  
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Bill Johnston-Walsh, State Director  
AARP Pennsylvania  
30 N 3<sup>rd</sup> Street #750  
Harrisburg, PA 17011

Representative Peter J. Daley  
P.O. Box 202049  
Harrisburg, PA 17101

Date: February 24, 2016



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