



COMMONWEALTH OF PENNSYLVANIA

March 11, 2016

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Petition of Communication 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:

I am delivering for filing today the Prehearing Memorandum, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Copies have been served on Administrative Law Judge Joel H. Cheskis, as well as on all known parties in this proceeding, as indicated on the attached Certificate of Service.

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

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Enclosures

cc: The Honorable Joel H. Cheskis
Parties of Record
Mr. Joseph Gillan

**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 :

OFFICE OF SMALL BUSINESS ADVOCATE
PREHEARING MEMORANDUM

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (the “Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Office of Small Business Advocate deems it necessary to participate as a party to this proceeding. Please address all correspondence as follows:

Elizabeth Rose Triscari
Deputy Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
etriscari@pa.gov

II. PROCEDURAL BACKGROUND

On October 21, 2015, Communication Workers of America (“CWA”) initiated the above-captioned proceeding by filing a Petition for a Public, On-the-Record Commission Investigation of the Safety, Adequacy, and Reasonableness of Service Provided by Verizon Pennsylvania LLC (“Verizon PA” or the “Company”).

A Notice of Intervention and Public Statement was filed by the Office of Consumer Advocate (“OCA”) on November 3, 2015.

Verizon PA filed an Answer to the Petition on November 10, 2015. An Answer in support of the Petition was also filed by Full Service Network, L.P. (“FSN”).¹

On November 11, 2015, the OSBA filed a Notice of Intervention and Public Statement.

Verizon PA filed a Reply to New Matter on December 1, 2015.

The Commission’s Bureau of Investigation & Enforcement (“I&E”) filed a Notice of Intervention on February 24, 2016.

Letters in support of the Petition have been filed by Boilermakers Local 13, AARP Pennsylvania, Pennsylvania Working Families, and Put People First! PA.

An ex parte letter directed to Commissioner Pamela Witmer, as well as letters in response from both Commissioner Witmer and the Secretary regarding ex parte communications, have also been publicly filed.

Administrative Law Judge (“ALJ”) Joel H. Cheskis has been assigned to this proceeding. On February 17, 2016, a Prehearing Conference Notice was issued scheduling a prehearing conference for March 18, 2016. ALJ Cheskis issued a Prehearing Conference Order on February 18, 2016. The OSBA submits this Prehearing Memorandum in accordance with that Order.

III. WITNESS

Assisting in the development and presentation of the OSBA’s position in this proceeding will be:

¹ The OSBA is unaware of any Petition to Intervene filed by FSN.

Mr. Joseph Gillan
Gillan Associates
PO Box 540386
Merritt Island, FL, 32953
386-405-2751
joseph@gillanassociates.com

The OSBA requests that all parties provide courtesy copies of all documents, including discovery, testimony and briefs, to Mr. Gillan, simultaneously with service upon the OSBA.

IV. IDENTIFICATION OF ISSUES

The OSBA is participating in this case to ensure that the interests of small business customers of the Company are adequately represented and protected. The OSBA is still analyzing the pleadings in this matter and at this time does not have any specific issues to highlight. The OSBA reserves the right to pursue any issues as they may arise throughout the course of the proceeding.

V. DISCOVERY

The OSBA will cooperate with the ALJs and other parties to arrive at any mutually agreeable discovery modifications.

VI. SERVICE OF DOCUMENTS

The OSBA agrees to accept electronic delivery of documents on the due date as satisfying the in-hand requirement, *provided that such documents are followed by hard copy delivery to OSBA and to its witness identified above by first class mail.* Service by electronic mail *only* is not acceptable.

In addition to hard copies of pleadings, briefs, and exceptions, the OSBA requests hard copies of responses to discovery propounded by the OSBA or any other party. The

OSBA also requests that all parties serve an electronic copy of all interrogatory responses upon the OSBA and the OSBA witness identified above.

VII. SETTLEMENT

The OSBA is willing to enter into settlement discussions at the appropriate phase of this proceeding.

VIII. PROCEDURAL SCHEDULE

The OSBA will cooperate with the ALJ and other parties to arrive at a mutually agreeable procedural schedule.

Respectfully submitted,



Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

For:

John Evans
Small Business Advocate

Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101

Dated: March 11, 2016

**BEFORE THE
PUBLIC UTILITY COMMISSION**

**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**
:
:

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (unless other noted below) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Joel H. Cheskis
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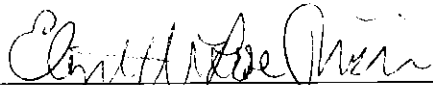
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DATED: March 11, 2016


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