

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

AR 566

In the Matter of)
)
PUBLIC UTILITY COMMISSION OF) COMMENTS OF
OREGON STAFF) Frontier Communications
Call Termination Rulemaking)

Frontier Communications Northwest Inc. and Citizens Telecommunications Company of Oregon d/b/a Frontier Communications of Oregon (collectively, “Frontier”) appreciates the opportunity to submit the following comments to the proposed call termination rules in AR 566.

Prior to this Rulemaking being opened, Frontier submitted informal comments in Docket UM 1547 on May 29th 2012. Frontier and other parties to the docket took the position that state specific rules were not necessary to address call termination problems in Oregon.¹ Our comments pointed to the fact that call completion issues are national in scope and thus affecting both interstate and intrastate call delivery and that having a patchwork of state by state rules is difficult for multi-state carriers to manager. Frontier and other parties strongly suggested that the FCC has taken steps to address call termination and has provided a consistent set of guidelines and enforcement for all jurisdictions specifically through their Declaratory Ruling and ICC/USF Reform Order.

Although Frontier still continues to believe that these issues are best addressed nationally rather than state by state, it is clear that some Oregon customers continue to be impacted. Since the last workshop, Frontier has been working with parties and has agreed to compromise language that we believe meets the goal of the proceeding and presents a fair and balanced approach to enforcement. As of the date of this filing, CenturyLink and OTA have agreed to support the following language:

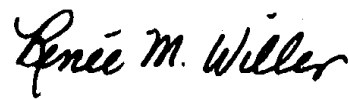
¹ See Comments of Frontier, AT&T, CenturyLink and Verizon dated May 29, 2012.

(16) Except to the extent authorized by law, the certificate holder shall not, directly or indirectly, block, choke, reduce or restrict traffic to another certificate holder's service area in such a manner as to attempt to or to avoid paying terminating access charges. In determining whether to invoke a penalty for violation of this standard, the Commission will consider the frequency with which the violations occur and the corrective action, if any, undertaken by the certificate holder and whether the certificate holder had knowledge of the violation. The Commission will not impose penalties in the event the certificate holder can demonstrate that it did not have knowledge of the violation. An aggrieved party is required to notify the certificate holder of any issues and parties are encouraged to resolve any issues informally before seeking relief under this rule.

(17) The certificate holder must take reasonable steps to ensure that it does not adopt or perpetuate routing practices that result in lower quality service, related to the termination of calls, to an exchange with higher terminating access rates than like service to an exchange with lower terminating access rates. In determining whether to invoke a penalty for violation of this standard, the Commission will consider the frequency with which the violations occur and the corrective action, if any, undertaken by the certificate holder and whether the certificate holder had knowledge of the violation.

This language sets appropriate standards for call completion and provides flexible guidelines for enforcement based on the severity of a particular violation. Frontier respectfully requests that the Commission proceed to adopt the proposed rules referenced above.

Respectfully submitted on September 28, 2012

A handwritten signature in black ink that reads "Renee M. Willer". The signature is written in a cursive, flowing style.

Renee M. Willer
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CERTIFICATE OF SERVICE
AR 566

I certify that on the 28th day of September 2012, I served the foregoing COMMENTS OF FRONTIER COMMUNICATIONS in the above entitled docket on the following persons via electronic mail.

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Respectfully submitted,



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