

Minnesota Public Utilities Commission
Staff Briefing Papers

Meeting Date: **October 2, 2014***Agenda Item #4

Company: Frontier Communications of Minnesota, Inc.

Docket No. P405/AR-14-735

In the Matter of a Petition by Frontier Communications of Minnesota, Inc. for
Approval of its Revised Alternative Regulation (AFOR) Plan

Issues: 1) What procedures shall the Commission adopt to review Frontier’s petition?
2) What procedures shall the Commission adopt for the settlement process?

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Relevant Documents

Frontier’s Petition August 29, 2014

The attached materials are workpapers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

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Statement of the Issues

- 1) What procedures shall the Commission adopt to review Frontier's petition?
- 2) What procedures shall the Commission adopt for the settlement process?

Background

Since 1995, the Minnesota Commission has been given the authority by the Minnesota Legislature to approve alternative form of regulation (AFOR) plans for local exchange carriers. See Minn. Stat. §237.76 through 237.774. The Legislature has since revised certain provisions of these statutes.

Frontier Communications of Minnesota, Inc. (Frontier) was among the first LECs in Minnesota to have an AFOR Plan approved by the Commission.¹

Frontier's Current AFOR Plan, assigned Docket No. P405/AR-11-562, was filed on April 30, 2011 as an adoption of the existing plan of affiliate company, Citizens Telecommunications Company of Minnesota, which was earlier approved by the Commission in Docket No. P407/AR-08-588. The Commission modified the adopted plan in ORDER APPROVING FRONTIER'S ALTERNATIVE REGULATION PLAN AS MODIFIED dated February 13, 2012. The Current AFOR Plan took effect March 1, 2012 and expires on March 1, 2015.

On August 29, 2014, Frontier submitted its proposed new AFOR plan to succeed the current plan.

Legal Framework

The laws governing the provision of an Alternative Regulation Plan are contained in Minnesota Stat. §§237.76 through 237.774, of which the pertinent sections for this case are:

¹ Frontier's First AFOR Plan was approved in ORDER APPROVING FRONTIER'S ALTERNATIVE REGULATION PLAN, Docket No. P405/AR-95-1048 issued on August 19, 1996, covering the period October 1, 1996 through October 1, 2000. The AFOR Plan was modified on July 19, 2001 in ORDER MODIFYING ALTERNATIVE REGULATION PLAN in Docket No. P405/AR-00-394. The Second Revised AFOR Plan was approved in ORDER ACCEPTING SETTLEMENT AND APPROVING SECOND REVISED ALTERNATIVE REGULATION PLAN in Docket No. P405/04-170 dated October 28, 2004, covering the period through November 1, 2007. The Third Revised AFOR Plan took effect November 1, 2007 through November 1, 2010, Commission's ORDER ACCEPTING SETTLEMENTS APPROVING THIRD REVISED ALTERNATIVE REGULATION PLAN in Docket No. P405/07-516 dated September 25, 2007. It was later extended until October 31, 2011 in ORDER dated June 11, 2011.

237.76 Purpose

A telephone company may petition the commission for approval of an alternative regulation plan under sections 237.76 to 237.774. The purpose of an alternative regulation plan is to provide a telephone company's customers with service of a quality consistent with commission rules at affordable rates, to facilitate the development of telecommunication alternatives for customers, and to provide, where appropriate, a regulatory environment with greater flexibility than is available under traditional rate of return regulation as reflected in other provisions in this chapter.

237.763 Exemption from Earnings Regulation and Investigation

Except as provided in the plan and any subsequent plans, a company that has an alternative regulation plan approved under section 237.764, is not subject to the rate-of-return regulation or earnings investigations provisions of section 237.075 or 237.081 during the terms of the plan. A company with an approved plan is not subject to the provisions of section 237.57; 237.59; or 237.60, subdivisions 1, 2, 4, and 5, during the term of the plan. Except as specifically provided in this section or in the approved plan, the commission retains all of its authority under section 237.081 to investigate other matters and to issue appropriate orders, and the department retains its authority under sections 216A.07 and 237.15 to investigate matters other than the earnings of the company.

237.764 Plan Adoption; Effect

Subd. 1. Petition, notice, hearing and decision. (a) Before acting on a petition for approval of an alternative regulation plan, the commission shall conduct any public meetings it may consider necessary.

(b) The commission shall require the petitioning telephone company to provide notice of the proposed plan to its customers, along with a summary description of the plan provisions and the dates, times, and locations of public meetings scheduled by the commission.

(c) The company's petition shall contain an explanation of how ratepayers will benefit from the plan and a justification of the appropriateness of earnings levels and rates in light of the proposed plan as well as any proposed changes in rates for price-regulated services for the first three years of the proposed plan. If a telephone company has completed a general rate proceeding, rate investigation, or audit of its earnings by the department or commission within two years of the initial application for an alternative form of regulation plan, the commission order or department audit report, updated for the most recent calendar year, is sufficient justification of earnings levels to initiate the filing of an alternative regulation plan. At the

time of filing a plan, the current earnings level of a telephone company with more than 1,000,000 access lines in Minnesota shall be deemed reasonable.

(d) The commission shall conduct a proceeding under section 237.61 to decide whether to approve the plan and shall grant discovery as appropriate.

(e) The commission shall issue findings of fact and conclusions concerning the appropriateness of the proposed initial rates, where necessary, and the proposed plan, or any modifications to it, but may not order that a modified plan take effect without the agreement of the petitioning telephone company. The commission shall issue its decision on a plan within six months after receiving the petition to approve the plan unless the commission and the company agree to an extension of the time for commission action.

(f) If a settlement is submitted to the commission, the commission shall accept, reject or modify the proposed settlement within 60 days from the date it was submitted.

Subd. 2. Settlement; stipulation; final order. Upon receipt of a petition for an alternative regulation plan, the commission shall convene a conference including all interested parties to encourage settlement or stipulation of issues. Any settlement or stipulation must be submitted to the commission, which shall accept or reject the proposal in its entirety or modify it. If the commission modifies the proposal, all parties have 30 days to comment on the proposed modifications, after which the commission shall issue its final order. If the final order contains modifications to the proposal, each party to the settlement has ten days to reject the proposed modifications, in which case the matter must be decided under section 237.61. After appropriate notice and hearing for all parties, the commission may adopt a stipulation submitted by a substantial number of, but less than all, parties.

237.766, Plan Duration and Extension

Subd. 1 Plan Duration. An alternative regulation plan approved by the commission under section 237.764 must remain in force as approved for the term specified in the plan, which must be for no less than three years. Except as otherwise provided in this section, within six months prior to the termination of the plan the company shall give notice that it will propose a new plan, extend an existing plan, or revert to rate of return regulation.

Subd. 2. New Plan. A new plan proposed by a company must be reviewed by the commission and, with the consent of the company, revised or approved consistent with sections 237.76 to 237.774, except that the justification for earnings levels in section 237.764, subdivision 1, paragraph (c), if required, and the provisions prohibiting rate increases at the initiation of or during the first three years of a plan contained in section 237.762, shall not apply to a new

plan. Any new plan must be approved by the commission and shall contain a mechanism under which a telephone company may reduce the rates for price-regulated services below the initial rates or prices or increase the rates or prices during the term of the plan. The plan must specify the reports required of the telephone company for review of the plan and specify that the telephone company shall maintain records in sufficient detail to facilitate the review. A new plan is not an extension, which must be made pursuant to subdivision 3.

237.769 Rules Applicable

Any company under a plan is subject to any rules adopted under section 237.16 on the same date as those rules are applicable to other companies.

237.774 Application of Other Laws

Except as provided in sections 237.76 to 237.773, a telephone company subject to a plan approved under sections 237.764 and 237.773, shall comply with any state or federal laws governing the provision of telephone services. Nothing contained in sections 237.764 and 237.773 is intended in any way to change or modify the definitions contained in sections 237.01 or what constitutes the provision of telephone service under this chapter or other laws.

Applicable Current AFOR Plan Provisions

The Current Plan's term for any renewal is provided in the following section of the Plan:

C. Duration and Renewal

The plan shall be adopted pursuant to the requirements of Minn. Stat. §237.766, subd. 4, and will continue for a period of three (3) years (36 consecutive months) from the Plan Effective Date.

Pursuant to Minn. Stat. 237.766, subd. 1, within six months prior to the termination of the Plan, Frontier shall file with the Commission notice that it proposes a new plan, extend the existing plan, or revert to rate of return regulation.

Other Relevant Minnesota Laws

In the execution of its duties, the Commission is guided by telecommunications goals listed in Minn. Stat. §237.011 as:

237.011 Telecommunications Goals

The following are state goals that should be considered as the commission executes its regulatory duties with respect to telecommunication services:

(1) supporting universal service;

(2) maintaining just and reasonable rates;

(3) encouraging economically efficient deployment of infrastructure for higher speed telecommunication services and greater capacity for voice, video, and data transmission;

(4) encouraging fair and reasonable competition for local exchange telephone service in a competitively neutral regulatory manner;

(5) maintaining or improving quality of service;

(6) promoting customer choice;

(7) ensuring consumer protections are maintained in the transition to a competitive market for local telecommunications service; and

(8) encouraging voluntary resolution of issues between and among competing providers and discouraging litigation.

And, Minn. Stat. § 237.012 states that it is a goal of Minnesota's legislature to increase Minnesotans access to high-speed broadband.

Frontier's Proposed AFOR Plan

The Company proposes a number of far reaching proposals which if implemented would have a significant impact on the provision of telephone service and the public interest in Minnesota. For example, Frontier proposes that (1) broadband services would be classified as non-telephone services and, as such, would not be regulated by the Commission; (2) service quality reporting requirements would be eliminated; and (3) rate caps for basic services would be increased, and such increases would not require a demonstration that Frontier is meeting service quality standards.

The important issues ultimately come before the Commission under either a settlement or under comment procedures. Under either avenue, the Commission requires a sound, detailed record and reasoned arguments to evaluate Frontier's proposal.

Based on limited review, important issues raised in Frontier's proposal requiring further record development by the parties include:

1. Frontier's proposal to add broadband services to the list of services classified as non-telephone services, as included under the following section.
 - Section IV. Classification, Rates and Prices for Retail Services
 - A. General Provisions
 - 1. Initial Classification.
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 - b. All services offered by Frontier which are not telephone services and/or are not subject to regulation by the Commission are not subject to regulation under this Plan. Such services include, but not limited to radio common carrier services, customer premises equipment, billing and collection services, inside wiring, broadband services, and services tariffed in the Federal jurisdiction. Nothing in this Plan adds to or reduces in any way the authority of the Minnesota Public Utilities Commission, the Department of Commerce or the Office of the Attorney General.

Frontier's proposal seeks to limit or preclude Commission authority regarding any service utilizing broadband technology. Staff notes that Chapter 237 of the Minnesota Statutes establishes an ongoing Commission role regarding broadband. Parties should formally address whether this case is the appropriate venue, and if so, whether the technology used to provide a service should be used as a basis for the regulatory classification or treatment of a service.

2. There are concerns about how Frontier classifies certain services.

Frontier classifies specific telephone services as price-regulated, flexibly priced and nonprice-regulated listed in Appendix A, Schedules 1, 2 and 3 respectively.

The list of price-regulated services is identical to the list in the Current AFOR Plan.

There are changes in the flexibly priced list. For example, the Facility Charges for New Residential Development Areas has been removed. In its stead, Line Extension Charges and Business Traffic Study Services are now added. Staff notes that there is an outstanding customer complaint for Frontier assessment of construction or Line Extension charges currently tariffed as flexibly priced service. Frontier proposes to charge the new customer thousands of dollars for the installation of telephone service where the next door neighbor already has telephone service. The complaint raises issues on the appropriateness of this service classification in light of Minn. Stat. §237.06 which provides that every telephone company has a duty to furnish reasonably adequate service at fair and reasonable rates and charges.

Also, in Docket P405/AM-14-604, Frontier proposes to classify Emergency Connect 911 Only Service as flexibly priced. That classification is disputed by the Department of

Commerce since 911 Emergency Services is specifically listed as a price-regulated service under Minn. Stat. § 237.761 (3)(8).

These examples indicate a need to review Frontier's classification of services and the effect on how these services are regulated in accordance with the AFOR and other relevant statutes.

3. The following provision is carried over from the Current Plan, giving the Commission one hundred twenty (120) days to make a final determination if an objection is filed on the classification of new services. This is not consistent with Minn. Stat. 237.761, Subd. 7 which requires the Commission to determine the classification of a service, if no objection is filed, within ninety (90) days of filing.
- Section IV. Classification, Rates and Prices for Retail Services
 - A. General Provisions
 2. The Introduction of New Services
 - b. Classification
.....If the Commission does not act within one-hundred-twenty (120) days, the classification is approved as filed.

Staff notes however, that the Commission may consider the classification of a service at any time under Minn. Stat. §237.081.

4. Frontier wants the ability to increase rates for price-regulated services.

The AFOR statutes generally prohibit any price increase for the recurring and nonrecurring rates for price-regulated services (Minn. Stat. 237.762, subd. 1), but allow very limited scenarios where rates can be raised above the Regulated Price, which is the price of a price-regulated service on the effective date of the Plan. Subd. 3 of Minn. Stat. 237.762 provides that.....Except as provided in paragraph (b), the rates or prices may not exceed the initial rates or prices for the service determined under subdivision 1 for the first three years of the plan.Said paragraph (b) provides "An approved plan may allow changes in rates for price-regulated services after two years to reflect:

- (1) Changes in state and federal taxes;
- (2) Changes in jurisdictional allocations from the Federal Communications Commission, the amount of which the telephone company cannot control and for which equal and opposite exogenous changes are made on the federal level; and
- (3) Substantial financial impacts of investments in telecommunications infrastructure which are made: (i) if the investments, for any 12-month period, exceed 20 percent of the gross plant investment of the company, or (ii) the result of government mandates to construct specific telephone infrastructure, the mandate applies to local telephone companies, and the company would not otherwise be compensated through some other manner under the plan.

Frontier proposes to increase prices for one-party basic local and business services, as proposed in the following section:

- Section IV. Classification, Rates and Prices for Retail Services
 - B. Price-Regulated Services
 - a. Price Caps for Certain Price-Regulated Services
 -After the first year of the Plan Frontier may increase the monthly rate for one-party basic local residential services (R1) and one-party basic business service (B1) up to a total of \$2 over the remaining term of the Plan and Frontier may increase the installation and service restoration charges associated with these services up to \$2 over the remaining term of the Plan.
5. Frontier proposes to delete the provision predicating any increase in rates of price regulated service on a demonstration of substantial compliance with service quality standards in Section IV. B.c.”Frontier may not increase the price of a price-regulated service if it has not demonstrated substantial compliance with the quality of service standards set forth in the plan.”
 6. Frontier deletes the following provision relating to outstate/metro rate parity in Section IV. B.a.”If Frontier implements the optional rates increases in Year 3 of the Plan, Frontier will not increase the outstate prices for one-party basic local residential service by more than it increases the metro price of one-party basic local residential service.”
 7. Under Service Quality, the Plan in Section V. A. states that Frontier is governed by the Commission’s service quality standards, appearing in Chapter 7810 of the Commission’s Rules. Frontier is not clear about the impact of the open Rulemaking docket on Possible Changes to Minn. Rule Chapter 7810 on its Service Quality Plan.
 8. Under Service Quality in Section V. A., Frontier deletes the section pertaining to Substantial Compliance as referred to in Minn. Stat. 237.765(a)(1) and stated in the Current Plan as

Appendix B, Section C. “Substantial Compliance with retail service quality standards is satisfied if Frontier meets 6 out of 7 of its individual service quality standards per year.”
 9. Under Service Quality in Section V. A., Frontier removes provisions for measuring and reporting metric standards, referenced in Minn. Stat. 237.765 (a)(3) and as provided in the Current Plan as

Appendix B, Section D: Annual Service Quality Reports

“Frontier shall report annually to the Commission, the Department, and the OAG its performance in meeting the quality of service standards for the previous year. The filing will include monthly results on an exchanges basis for the Installation Interval, Restoration of Out of Service, POTS Repeat Trouble Report Rate, and POTS Missed

Repair Commitment measures. For other measures, monthly results will be provided on a state-wide basis.

10. Minn. Stat. 237.765 (a)(2) provides certain specific service quality metrics (e.g., Held Orders, Trouble Rates, etc.). The Proposed Plan's provision under Service Quality does not contain these specific metrics.
11. Frontier's Investment Plan in Section VI needs to be reviewed as to whether it satisfies Minn. Stat. 237.761, Subd. 8.

At a minimum, parties should address the public interest aspects of the Company's proposal, including the proposal's compliance with all relevant statutes. More specifically, the parties should address the 11 issues discussed above, in substantial detail, in their filed Comments or Settlement. This will provide a sound record basis to inform the Commission's decision regarding any new AFOR plan for the Company.

Recommended Review Procedures

The AFOR statutes, the Current AFOR Plan, and Commission practice provide guidance on how the Commission should proceed to review the proposed new plan. The procedural items presented here reflect the dual track for review of an AFOR Plan filing, allowing for both a) an expedited proceeding under Minn. Stat. §237.61 pursuant to Minn. Stat. §237.769, and b) a settlement process under Minn. Stat. §237.764, subd. 2.

Attachment A contains a summary of Staff's recommended timeline for the milestones of the case.

A. Notices, Service List, and Intervention

Staff proposes that the Commission direct the Company to post its AFOR filing, any public meetings determined by the Commission, and the case timetable and any other pertinent information at its website (URL to be determined by Frontier) within 5 days of the Commission Order. The website shall include a feature permitting interested persons to ask questions and submit comments about the proposed Plan. This will provide interested people the information necessary to be informed about and participate in the ensuing discussion about the proposed AFOR Plan.

Staff proposes that the Commission serve the Order on all persons on the service list developed in Frontier's last AFOR proceeding in Docket No. P405/AR-11-562, *In the Matter of a Petition by Frontier Communications of Minnesota's Proposal to Join an Existing AFOR Plan of its Corporate Affiliate Citizens Telecommunications of Minnesota*. The Order shall require any person who wishes to be on the service list for this proceeding to file a Declaration of Interest (Form attached as Attachment B), within 20 days of the date of the Order.

Staff also proposes that the Commission order the Company to provide notice, within 10 days following the issuance of the Order, on all telecommunications carriers in Minnesota with which the Company has an interconnection agreement, and to file with the Commission a list of all persons served with the notice.

Staff proposes that the Commission order the Company to serve notice, within 10 days following the issuance of the Order, on all of its retail customers. The customer notice must:

1. Be developed in cooperation with the Department of Commerce and Commission Staff, and approved by the Executive Secretary prior to distribution.
2. Contain information about the availability of the Plan details and ability to post comments and questions through the Company's website.

Any person who wishes to intervene as a party shall file a petition under Minn. Rules, part 7829.0800 within 20 days of the Order.

B. Protective Order and Information Requests

Staff recommends that the Commission designate a lead commissioner to approve a protective order for the protection of trade secret and privileged data in this docket. Protective orders must be submitted to the Commission within 20 days of the Commission Order.

Staff recommends that the Commission require that Frontier and all parties answer any information requests within 10 days of receipt. A copy of each information request must be served on the Commission and on the service list developed for this proceeding. Subject to the protective order described above, answers to the information requests shall be served on all parties, and on non-party participants upon request.

C. Comments on the Adequacy of Frontier's Filing as to Form

Staff recommends that the Commission set a deadline of November 10, 2014 for any Comments on the adequacy or completeness of Frontier's filing. Comments should address whether Frontier's filing meets the requirements of Minn. Stat. §§237.76- through 237.769.

Following receipt of any comments and replies as to form, the Commission could, if it deems necessary, schedule a meeting to determine the adequacy of the Company's filing. The Commission could reject a filing that it finds to be substantially out of compliance with the statutes and the Current Plan. If there are no objections as to form, the Commission will proceed to the other schedules described below.

D. Comments on the Merits of Frontier's Proposed AFOR Plan

Staff proposes the following deadlines for filing comments on the merits of the Plan:

- Initial Comments – December 5, 2014
- Reply Comments – December 19, 2014

Staff notes that the Commission calendar in January and February 2015 is very busy with two significant energy matters. Any extension of the Comment period would likely require an extension of the six month timeline under Minn. Stat. §237.764 subd. 1(e).

E. Public Meetings

The Commission has the discretion on whether to conduct public meetings. Public meetings are designed to educate, as well as solicit input from the public about the merits of the proposed AFOR Plan. The Commission usually asks the Administrative Law Judge to conduct any public meetings the Commission finds to be appropriate.

If the Commission decides to go ahead with the public meetings, it could ask the Company to submit a proposed schedule of public meetings within 20 days from the Commission Order. Frontier should be asked to submit a schedule with the date, time and location of each public hearing, and the dates of publications in the appropriate local newspaper.

In lieu of public meetings, the Commission may wish to gauge the public reaction chiefly from Comments posted on the Company website. In such a case, Frontier should be directed to prominently include instructions on how to use its website to provide comments on the proposed Plan, and periodically file any public comments in the case record.

The Commission could also order Frontier to direct public comments on the AFOR Plan to the Commission's regular comment collection venue, with the following instructions:

Go to mn.gov/puc, select *Comment on an Issue*, find this docket **14-735**, and add your comments to the discussion.

Persons without internet access may send Comments by U.S. mail to Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul MN 55101-2147. Commenters should include the Commission's docket number **14-735** in all communications.

F. Expedited Proceeding Under Minn. Stat. §237.61

Parties filing Comments or participating in Settlement discussions are encouraged to address at a minimum the issues listed in the preceding section.

Staff approximates that a Commission hearing pursuant to Minn. Stat. §237.61 may be scheduled for early February, 2015. The Company and parties to the proceeding may present oral arguments to the Commission and their respective experts and representatives shall be available for questions. The Commission will then deliberate and issue its order on the appropriateness of the proposed AFOR Plan.

In accordance with Minn. Stat. §237.764, subd. 2, if a substantial number of, but less than all, parties submit a settlement agreement, the Commission may hold a hearing and adopt the parties'

stipulation in place of the hearing described above. Once a stipulation for settlement is submitted to the Commission, the Commission will accept, reject or modify the proposed settlement within 60 days from the date of submission.

G. Delegated Authority to the Executive Secretary

Pursuant to its authority under Minn. Rule 7829.3100, and to further expedite this proceeding, Staff recommends that the Commission delegate to its Executive Secretary the authority to act on subsequent procedural and notice filings and to vary the established time periods either on his own motion or at the request of a party for good cause shown. Substantive issues will be brought to the Commission's consideration.

H. Settlement Conference and Reports

Staff recommends that the Commission convene a settlement conference and direct the parties to conduct initial discussions within 10 days of the Order. Direct parties to submit any resulting settlement agreement by December 19, 2014. Staff also recommends that the Commission direct the Company to submit a written progress report on the settlement negotiations on November 10 and November 28, 2014.

If the parties do not reach agreement, they shall make the case for their positions in written comments.

As noted in section D above, the Commission's calendar in January and February 2015 is busy with two significant energy matters. Any extension of the settlement deadline would likely require an extension of the timeline under Minn. Stat. §237.764.

Staff Recommendations on the Proposed Procedures for Review of Frontier's Third Revised AFOR Plan

- A. Require the Company to, within 5 days of the Order, post its petition, any public meetings determined by the Commission, and the case timetable and any other pertinent information at its website.
- B. Require the Company to, within 10 days of the Order, provide notice on all telecommunications carriers with which it has an interconnection agreement, and file a list of all persons served.
- C. Require the Company to, within 10 day of the Order, serve notice on all retail customers. The customer notice must be 1) developed with the Department and Staff, and approved by the Executive Secretary, and 2) contain information about the availability of the Plan details and ability to post comments and questions through the Commission's website.
- D. Require any interested person wishing to be on the service list to file a Declaration of Interest form within 20 days of the Order.
- E. Require any interested person wishing to intervene as a party to file a petition to intervene within 20 days of the Order.
- F. Require that any proposed protective orders be filed within 20 days of the Order.
- G. Designate a lead commissioner to approve any protective order.
- H. Require Frontier and all parties to answer any information requests within 10 days of receipt, to serve a copy of each information request and answer on the service list, and on non-party participants upon request.
- I. Require comments on the adequacy of the filings to be filed by November 10, 2014.
- J. Require comments on the Merits to be filed by December 5, 2014, and replies to be filed by December 19, 2014.
- K. Solicit public comments through one or a combination of the following methods:
 - 1. Direct Frontier to arrange public meetings to be conducted by an ALJ, and to submit a proposed schedule within 20 days of the Commission Order. Delegate authority to the Executive Secretary to approve necessary logistics for the public meetings.
 - 2. Direct Frontier to prominently include in its customer notices instructions on how to post comments regarding the proposed plan

using the Company's website. File received comments in the case record.

3. Direct Frontier to include in its customer notices the following directions for solicitation of public comments:

Go to mn.gov/puc, select *Comment on an Issue*, find this docket **14-735**, and add your comments to the discussion.

Persons without internet access may send Comments by U.S. mail to Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul MN 55101-2147. Commenters should include the Commission's docket number **14-735** in all communications.

- L. Parties filing Comments or participating in Settlement discussions are directed to formally address the public interest aspects of the Company's proposal, and the proposal's compliance with all relevant statutes. Parties are specifically directed to address in substantial detail the 11 issues identified above in their Comments or any Settlement.
- M. Delegate authority to the Executive Secretary to handle further procedural issues.
- N. Convene a settlement conference and direct the parties to conduct initial discussions within 10 days of the Order. Direct parties to submit any resulting settlement agreement by December 19, 2014.
- O. Direct Frontier to submit a written progress report regarding the status of settlement discussions on November 10 and November 28, 2014.

Attachment A – Staff’s Proposed Case Timeline

Frontier’s Proposed AFOR Plan

Docket P405/AR-14-735

Action	Staff Proposal	Commission Decision
Frontier filing	August 29, 2014	
Commission proceeding on Procedures	October 2, 2014	
Commission Order on Procedures	<i>TBD</i>	
Frontier posting on website	5 days after Order	
Frontier notice to telcos and customers	10 days after Order	
Deadline for declaration of interest, intervention , any proposed protective order	20 days from Order	
Comments on adequacy of filing	November 10, 2014	
Comments and Replies on Merits	December 5, 2014 December 19, 2014	
Settlement Progress Reports	November 10 and November 28, 2014	
Final Report	December 19, 2014	
Commission proceeding on merit of proposal	<i>February 5, 2015 or TBD</i>	
Commission Order	<i>February 24, 2015 or TBD</i>	
Current AFOR expires	March 1, 2015	

DRAFT

Declaration of Interest

In the Matter of a Petition by Frontier Communications of Minnesota, Inc. for Approval of its Revised Alternative Regulation (AFOR) Plan

Docket No. P405/AR-14-735

The person named below would like to remain on the mailing list for the above captioned matter.

NAME: _____

COMPANY: _____

OFFICE ADDRESS: _____

TELEPHONE NUMBER: _____

EMAIL ADDRESS: _____

By signing below, I accept electronic service as legal service at the email address provided above.

Signature of Person

Date

Complete, sign, and return to eService.admin@state.mn.us or fax to 651-297-7073.