

STATE OF MINNESOTA

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Katie Sieben
Joseph K. Sullivan
Valerie Means
Matt Schuerger
John Tuma

Chair
Vice Chair
Commissioner
Commissioner
Commissioner

**In the Matter of a Petition for a Rulemaking
Regarding Minnesota Rules Chapter 7810**

Docket No. P421/M-21-381

**REPLY COMMENTS OF
FRONTIER COMMUNICATIONS OF MINNESOTA, INC. and
CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA, LLC**

On June 11, 2021, the Commission issued a *Notice of Comment Period* in this docket inviting comment on the several topics related to CenturyLink’s petition for rulemaking to eliminate, amend or modify certain landline telephone service rules under Minn. Rules Ch. 7810 Telephone Utility; specifically, Minn. Rules 7810.5200 Answering Time and 7810.5800 Interruptions of Service. A number of parties filed initial comments on June 28, 2021.

Citizens Telecommunications Company of Minnesota, LLC and Frontier Communications of Minnesota, Inc. (collectively, “Frontier”) offer these reply comments in response to those initial comments.

The Minnesota Department of Commerce¹, the Office of Attorney General-Rural Utilities Division², and the Communications Workers of America³ urge the Commission to focus its attention in this docket on the past service performance of one company (CenturyLink) in comparison to the existing standards in the Commission’s rules. This is the wrong approach. The Commission’s rules apply to all local exchange carriers, not just CenturyLink. When evaluating its rules, the Commission should be determining whether the substance of the rules is reasonably applicable to all local exchange carriers, as well as evaluating whether the substance

¹ Department of Commerce comments, pages 4 and 5.

² Office of Attorney General-Rural Utilities Division comments, page 4.

³ Communications Workers of America comments, pages 3 and following.

of the rules appropriately reflects the market conditions and circumstances in which local exchange carriers are operating. Whether one particular carrier may or may not be meeting the substance of the Commission's existing rules is entirely irrelevant to the question of whether those existing rules are appropriate.

Rather than focus on CenturyLink's past service results, the Commission ought to take stock of the current telecommunications market in which local exchange carriers operate, and its relation with the rest of the economy. The Commission's service quality rules were largely enacted over 40 years ago. No one can reasonably assert that the telecommunications environment of today is anything like that which existed at the time the rules were enacted. That passage of time does not necessarily mean that those old rules are no longer appropriate, but it does highlight the fact that the needs, expectations, and desires of today's telecommunications customers and providers have changed dramatically. The goal of this docket should be to implement rules that are designed and fitted for current state of the world.

The Department of Commerce suggests that this docket might be enhanced by a series of public meetings held across the state.⁴ Frontier disagrees. Based on past history, public attendance at public meetings cannot be expected to provide a reasonable cross section of public opinion or interest. Nor should it be expected that the general public has sufficient knowledge or experience with technical telecommunications issues or utility operations to provide valuable insight. For example, Rule 7810.5900 deals with the objective for the average rate of customer trouble reports in an exchange, and sets that objective as no greater than 6.5 per 100 telephones per month. The general public will not have the background to offer insight on that matter. Similarly, the technical details of other rules will be beyond the ken of the general public.

The Department of Commerce's concern about "confusion" if the Commission embarks on a rulemaking prior to the conclusion of Docket No. P421/C-20-432 is unwarranted⁵. If or when the Commission does modify its rules, it will be clear regarding the implementation date of the changes. Until that implementation date, the existing rules apply.

The Department of Commerce also urges the Commission to "avoid what transpired in the 2014 rulemaking proceeding (Docket No. P999/R-14-413) where the telecommunications industry

⁴ Department of Commerce comments, page 4.

⁵ Department of Commerce comments, page 4.

refused to discuss anything other than reducing or eliminating consumer protections.”⁶ While that description does not jibe with Frontier’s recollection of those events, it is clear that the approach taken in Docket No. P999/R-14-413 was ineffective. Frontier agrees with the Department that some other approach should be employed in this docket.

Dated July 8, 2021

Respectfully submitted,

FRONTIER COMMUNICATIONS OF MINNESOTA, INC.

CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA, LLC

/s/ Scott Bohler

Scott Bohler
Manager, Government and External Affairs
2378 Wilshire Blvd. Mound, MN 55364
(952) 491-5534 Telephone
scott.bohler@ftr.com

⁶ Department of Commerce comments, page 4.