

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: September 14, 2021
TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk
FROM: Kathryn G. W. Cowdery, Office of the General Counsel *KG*
RE: Docket No. 20210137-PU

Please file the attached materials in the docket file listed above.

Thank you.

Attachment

RECEIVED-FPSC
2021 SEP 14 PM 1:25
COMMISSION
CLERK

Julie Phillips

From: Kathryn Cowdery
Sent: Tuesday, September 14, 2021 12:27 PM
To: Julie Phillips
Subject: FW: DOCKET NO. 20210137-PU; IN RE: PROPOSED ADOPTION OF RULE 25-18.010
Attachments: FTR Proposed Revisions to Draft FL PSC Pole Attachment Regs.09.01.21.pdf

From: Brubaker, Gregory <gregory.c.brubaker@ftr.com>
Sent: Wednesday, September 01, 2021 7:59 AM
To: Adria Harper <AHarper@psc.state.fl.us>; Kathryn Cowdery <kcowdery@PSC.STATE.FL.US>; Cayce Hinton <CHINTON@PSC.STATE.FL.US>
Cc: Ellis, Allison <AE4862@FTR.com>
Subject: DOCKET NO. 20210137-PU; IN RE: PROPOSED ADOPTION OF RULE 25-18.010

Good Morning,

Please add me as an interested party on behalf of Frontier Florida LLC in the above docket. In connection with that proceeding, Frontier offers its suggested revisions to the proposed rules.

Best regards,

Greg

Gregory C. Brubaker
Associate General Counsel | Legal Department
Frontier Communications
O: 260.461.8903 | M: 260.241.3606
frontier.com



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25-18.010 Pole Attachment Access, Rates, and Complaints

(1) The Commission shall hear and resolve complaints between pole owners and attaching entities concerning pole attachment rates, charges, terms, conditions, voluntary agreements, or denial of access in accordance with Section 366.04(8), Florida Statutes. A complaint filed with the Commission by a pole owner or attaching entity pursuant to ~~Section 366.04(8), Florida Statutes,~~that section must contain:

(a) The name, address, email address, and telephone number of the complainant or complainant's attorney or qualified representative;

(b) A statement describing the facts that give rise to the complaint;

(c) A statement of the rules and laws governing the complaint;

(d) Names of the party or parties against whom the complaint is filed;

(e) An explanation of previous steps taken to reach an agreement on the issue;

(f) A copy of the pole attachment agreement, if applicable, and identification of the pole attachment rates, charges, terms, conditions, voluntary agreements, or any denial of access relative to pole attachments that is the subject matter of the complaint;

(g) A statement of the issues to be resolved;

(h) If applicable, the dollar amount in dispute;

(i) A statement of the relief requested, including whether a Section 120.569 and 120.57, Florida Statutes, evidentiary hearing is being requested to resolve the complaint; and

(j) A certificate of service that copies of the complaint have been furnished by email to the party or parties identified in paragraph (1)(d) of this rule.

(2) The filing date for the complaint is the date that a complaint is filed with the Commission Clerk containing all required information set forth in subsection (1) of this rule.

(3) The pole owner or attaching entity that is the subject of the complaint must file its response with the Commission within 30 calendar days of the date the complaint was served on that party.

(4) If the pole owner or attaching entity intends to ask the Commission to establish an alternative cost-based pole attachment rate in a Section 120.569 and 120.57, Florida Statutes, evidentiary proceeding, it must provide the methodology with the complaint or with the response.

(5) The Commission will take final action on a complaint at a Commission Conference no later than 360 days after the complaint's filing date as set forth in subsection (2) of this rule.

(6) A party's right of non-discriminatory access to a pole under Section 366.04(8), Florida Statutes, is identical to the rights afforded under 47 U.S.C. § 224(f).