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MAINE PUBLIC UTILITIES COMMISSION

**REPORT REGARDING COMMISSION REVIEW OF THE
EFFECT OF RELIEF OF THE PROVIDER OF LAST
RESORT SERVICE OBLIGATION PURSUANT TO THE
PROVISIONS OF PUBLIC LAW 2015,
CHAPTER 462**

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List of Acronyms and References

CASD:	Consumer Assistance and Safety Division
CLEC:	Competitive Local Exchange Carrier
FCC:	Federal Communications Commission
ILEC:	Incumbent Local Exchange Carrier
Mbps:	Megabit per Second (One Million Bits per Second)
MPUC:	Maine Public Utilities Commission
M.R.S.:	Maine Revised Statutes
OPA:	Office of the Public Advocate
POLR:	Provider of Last Resort
RBOC:	Regional Bell Operating Company
"2016 Act"	P.L. 2015, ch. 462, "An Act to Increase Competition and Ensure a Robust Telecommunications Market"
"Commission"	Maine Public Utilities Commission
"FairPoint"	Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE
"Price Cap ILECs."	Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, Community Service Telephone Co., and Northland Telephone Company.
"Reform Act"	P.L. 2011, ch. 623, "An Act to Reform Telecommunications Regulation"

I. INTRODUCTION

In 2012, as a part of its efforts to reform telecommunications in Maine, the Maine Legislature, enacted P.L. 2011, ch. 623, "An Act to Reform Telecommunications Regulation" ("Reform Act"). In the Reform Act, the Legislature undertook comprehensive reform of Maine's telecommunication laws. Among the Reform Act's provisions were the creation of the term "provider of last resort"—or "POLR"—telephone service. POLR service was specifically defined by the Reform Act, and is codified in Maine law, but is essentially the most basic form of telephone service, that allows subscribers to make local calls at a flat rate and provides access to 911, directory assistance, operator services, and long distance.¹ All of Maine's incumbent local exchange carriers—or "ILECs"—are required by Maine law to offer POLR service to their customers. While the Reform Act created the term POLR, the ILECs have been providing basic telephone service since the 1880s. The Reform Act also deregulated nearly all other retail telecommunications services in Maine.

In early 2016, continuing its efforts to reform and deregulate Maine's telecommunications industry, the 127th Maine State Legislature, in its Second Regular Session, enacted P.L. 2015, ch. 462, "An Act to Increase Competition and Ensure a Robust Telecommunications Market" (the "2016 Act"). Among its provisions, the 2016 Act provided for the removal of the obligation to provide POLR service for certain ILECs, primarily those that serve the most populous areas of the State. The 2016 Act refers to these carriers as "Price Cap ILECs."² As an initial matter, the 2016 Act immediately removed the Price Cap ILECs' POLR service obligation in the seven most populous municipalities in Maine: Portland, Lewiston, Bangor, South Portland, Auburn, Biddeford, and Sanford. The 2016 Act then set forth a procedure whereby the Maine Public Utilities Commission ("MPUC" or "the Commission") could relieve Price Cap ILECs of their POLR service obligation in the next fifteen most populous municipalities, in sequential five-municipality increments. For these twenty-two municipalities, the relevant Price Cap ILEC is Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, known colloquially across Maine as simply "FairPoint." The Commission notes that the 2016 Act predicated such relief from the Commission on FairPoint meeting certain

¹ The full definition of POLR service is in statute at 35-A M.R.S. § 7201(7).

² A "Price Cap ILEC" is defined in the Act as "an incumbent local exchange carrier that agreed to accept Connect America Fund Phase II support pursuant to the Federal Communications Commission's Report and Order released on December 18, 2014, in the Matter of Connect America Fund, WC Docket No. 10-90, FCC 14-190, for locations within the State on or before January 1, 2016 and does not receive funding from a state universal fund under [Title 35-A] section 7104." P.L. 2015, ch. 462, Sec. 1 now codified at 35-A M.R.S. § 7102(6-A). There are three carriers in Maine that meet this definition: Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE ("FairPoint" or "the Company"), Community Service Telephone Co. ("Community Service"), and Northland Telephone Company ("Northland"). All three carriers are affiliated with one another and are now wholly owned subsidiaries of Consolidated Communications, Inc.

service quality benchmarks over a six-month period and meeting public notice requirements; that is, FairPoint, upon a showing of satisfactory service quality performance, may petition the Commission for relief for its POLR service obligation in five municipalities.

To date, the Commission has granted relief to FairPoint of the Company's POLR service obligation in Cape Elizabeth, Gorham, Waterville, Kennebunk, Scarborough, Bath, Yarmouth, Old Orchard Beach, Westbrook, and Freeport. The five remaining municipalities covered by the 2016 Act are: Brewer, Kittery, Windham, Brunswick, and Augusta; the Commission anticipates receiving a petition for POLR service obligation relief from FairPoint for these municipalities in January 2018.

In addition to implementing the POLR obligation relief discussed above, the 2016 Act imposed a reporting requirement on the Commission. The 2016 Act requires the Commission to provide the Legislature a report related to the removal of the POLR obligation by January 15, 2018. The report must include a list of municipalities in which the obligation to provide POLR service has ceased, the effect of the removal of POLR service on former POLR service customers, FairPoint's workforce, the maintenance and status of the copper line network, public safety, and the cost, features, and availability of telephone service, including service to the hearing impaired, and broadband service. The Commission in its report may also recommend related legislation and the Committee may report out a bill related to the report in the 2018 Session. Finally, the 2016 Act directs the Commission to post the report on its website at least 30 days before submitting the report to the Committee and allow persons to submit written comments on the report, which are to be submitted along with the report. On November 16, 2017, the Commission posted its draft report on its website in Docket No. 2017-00070 and provided the opportunity for interested persons to submit written comments by December 18. Written comments were submitted by the Office of the Public Advocate (OPA) and are attached as Appendix B. In addition, a comment was received after the comment deadline; that comment is included in Appendix B as well.

This Report is intended to satisfy the reporting requirements required by the 2016 Act.

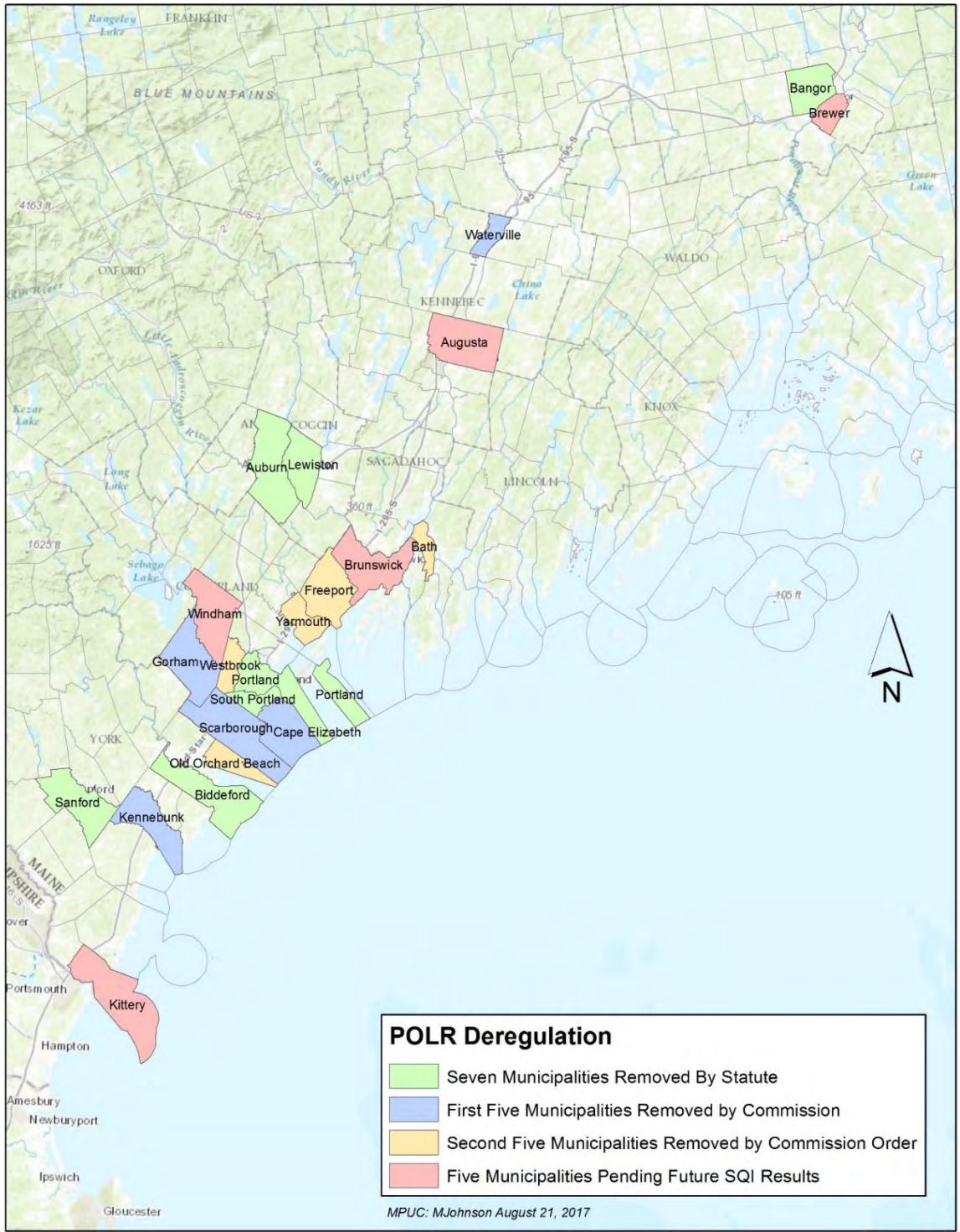
II. SPECIFIC AREAS OF DISCUSSION REQUIRED BY THE 2016 ACT

A. MUNICIPALITIES WHERE THE POLR SERVICE OBLIGATION HAS CEASED

The table below contains the list of communities where either the Legislature by statute or the Commission based on statutory criteria has removed FairPoint's POLR service obligation. The table also indicates the date of the public meeting convened by the Commission in a given municipality to provide information to residents about the removal of the POLR service obligation, the date upon which the Legislature or the Commission removed the POLR service obligation, and the authority for removal of the obligation.

Municipality	Public Meeting	POLR Removed	Removal Authority
Bangor	July 7, 2016	August 29, 2016	35-A MRSA §7221
Lewiston	July 13, 2016	August 29, 2016	35-A MRSA §7221
Sanford	July 14, 2016	August 29, 2016	35-A MRSA §7221
South Portland	July 21, 2016	August 29, 2016	35-A MRSA §7221
Biddeford	July 28, 2016	August 29, 2016	35-A MRSA §7221
Auburn	August 2, 2016	August 29, 2016	35-A MRSA §7221
Portland	August 3, 2016	August 29, 2016	35-A MRSA §7221
Cape Elizabeth	March 20, 2017	April 27, 2017	2017-00016
Gorham	March 22, 2017	April 27, 2017	2017-00016
Waterville	March 23, 2017	April 27, 2017	2017-00016
Kennebunk	March 28, 2017	April 27, 2017	2017-00016
Scarborough	March 30, 2017	April 27, 2017	2017-00016
Bath	September 26, 2017	November 2, 2017	2017-00185
Yarmouth	September 27, 2017	November 2, 2017	2017-00185
Old Orchard Beach	September 28, 2017	November 2, 2017	2017-00185
Westbrook	October 3, 2017	November 2, 2017	2017-00185
Freeport	October 5, 2017	November 2, 2017	2017-00185

The map below graphically depicts the locations of the deregulated municipalities. The map also contains the additional five communities from the 2016 Act that will soon become eligible to have their POLR obligation removed.



As discussed briefly above, on August 29, 2016, the Legislature removed FairPoint's POLR service obligation in seven municipalities. The 2016 Act required the Commission to hold a public meeting in each affected municipality to allow residents to obtain information from FairPoint about the upcoming changes to telephone service in their municipality. Once the Commission scheduled the meetings, FairPoint sent notice of the meetings to customers impacted by the changes within their billing statements. The Commission also promoted the public meetings using its website.³

At the public meetings, Commission Staff provided an overview of the changes to local telephone service in the municipality and moderated a question and answer style discussion that involved FairPoint and the OPA. The discussion typically involved questions from social service agencies, interest groups such as the American Association of Retired Persons, local State Legislators, community leaders, and members of the public. The attendance at the meetings ranged from 10 to 30 members of the public.

Many consumers at the meetings were under the impression that deregulation meant that they would no longer be able to receive basic telephone service. Consequently, the main objective of the meetings became to inform the public that, despite deregulation, FairPoint would continue to provide traditional, landline telephone service. FairPoint made clear that current (and future) customers would still be able to receive basic telephone service from the Company, including the ability to make and receive calls, dial 9-1-1, obtain Lifeline service,⁴ have access to operators and long distance, and so on. In addition, many FairPoint customers did not understand what POLR service is, and, importantly, what it is not; a confusion that FairPoint did its best to remedy.⁵

³ <http://www.maine.gov/mpuc/telecom/polr>

⁴ Lifeline service is a discounted retail telephone service offering available to qualifying low-income consumers taking local service or a bundle or package containing local service from a participating service provider. 65-407 C.M.R. ch. 294, § 1(A).

⁵ POLR service is not a straightforward concept. For example, a FairPoint customer (in a municipality that the Commission or the Legislature has not deregulated) who has the most basic telephone service is a POLR service customer. If that same customer adds voicemail, however, that customer is no longer a POLR service customer. Likewise, if a customer has basic voice service and long distance calling with FairPoint, then they are not a POLR customer. However, if that same customer receives Caller-ID or call-forwarding in addition to their POLR service they remain a POLR customer. The basis for this distinction lies in 35-A M.R.S. § 7224, which provides that service providers must offer what are known as "ancillary services" to their POLR service customers. An ancillary service is "a service that allows a customer to manage the display of information identifying the originator of a voice call or to manage the delivery of a voice call, including but not limited to call waiting and call forwarding, and is related to the provisioning of voice grade access to the public switched telephone network so that the customer is unable to obtain a functionally equivalent service from any device or service offered by an

Although FairPoint would continue to provide basic telephone service, FairPoint and Commission Staff informed meeting attendees that the Legislature has made some regulatory changes to Maine law. For example, after a period of one year, FairPoint customers with complaints about service in the deregulated municipalities would no longer be able to file complaints with the Commission's Consumer Assistance and Safety Division; customers in these municipalities would need to contact FairPoint directly or file a complaint with the Attorney General's Office. The OPA also emphasized that consumers could also reach out to them for assistance.

In addition, beginning immediately, FairPoint informed attendees that the Company would no longer accept new POLR service customers; new customers would instead be able to purchase a "POLR equivalent" basic service offering from FairPoint. In addition, FairPoint informed attendees that existing POLR service customers in deregulated communities who maintained basic service from FairPoint would not see any changes to their rates or terms and conditions of service during the first year, but could thereafter see changes in rates.

Following the deregulation of the first seven municipalities in August 2016, FairPoint became eligible to seek Commission relief from its POLR service obligations in the first five of the fifteen additional municipalities specified in the 2016 Act. For these municipalities to be eligible for POLR service obligation relief, FairPoint was required to meet the service quality standards set forth in the 2016 Act over two consecutive reporting quarters.

On January 19, 2017, FairPoint filed its request for relief. As a part of its request, FairPoint certified to the Commission that the Company had met the statutory service quality standards for the third and fourth quarters of 2016. The Commission then organized a series of public meetings in five affected municipalities. As with the first seven municipalities, FairPoint notified customers in these communities of the upcoming meetings through their billing statements, and Commission Staff noticed and promoted the meetings on the Commission's website. A public meeting was held in each affected municipality between March 20 and March 30, 2017. The meeting format for this second group of five municipalities mirrored the format of the first seven meetings. The meeting format for these first "group of five" meetings mirrored the format of the first seven meetings. However, unlike the first seven meetings which saw fairly strong attendance, these five meetings had fewer attendees, even after accounting for differences in population: zero attendees in Waterville, Kennebunk, and Cape Elizabeth, and fewer than ten attendees each in Gorham and Scarborough.

entity other than the service provider." *Id.* Ancillary services include services such as Caller-ID, call forwarding, and call waiting. Voicemail and long distance service are not considered ancillary services because a customer can obtain these services from a third-party. Accordingly, a customer who receives a non-ancillary service, such as voicemail or long distance service, from their service provider in conjunction with basic telephone service, is not, by definition, a POLR service customer.

On July 19, 2017, FairPoint filed its request for relief from its POLR service obligations in the next set of five municipalities. Again, as a part of its request, FairPoint certified to the Commission that the Company had met the statutory service quality standards for the first and second quarters of 2017. The Commission then organized public meetings in the affected municipalities. FairPoint notified customers in these communities of the upcoming meetings through their billing statements, The Commission noticed and promoted the meetings on the Commission's website, and continued the meeting format from prior meetings. A public meeting was held in each affected municipality between September 26 and October 4, 2017. As with the meetings in the previous five municipalities, attendance at the meetings was light, with zero attendees in Westbrook and Old Orchard Beach, and fewer than five attendees in Yarmouth, Bath, and Freeport.

B. EFFECT OF POLR SERVICE OBLIGATION REMOVAL ON POLR SERVICE CUSTOMERS

The definition of POLR service, created by the 125th Maine Legislature⁶, helped to clarify in Maine the long-standing general concept of universal telephone service called the carrier of last resort. Guaranteed access to universal service has been the cornerstone of regulated telephone service since 1934. As the roots of competition grew with the divestiture of AT&T's telephone service monopoly in 1984, that company was divided into seven Regional Bell Operating Companies (RBOCs).⁷ Although federal law prohibited the RBOCs from engaging in long distance service, as that industry was opened to competition, they remained the monopoly in the last mile of telephone service. The RBOCs provided local telephone service to customers in their communities, and they were required to provide telephone service to all. The Telecommunications Act of 1996⁸ opened the doors to increased competition in the local telephone service market by creating new competitors who could compete with the traditional telephone company. Some of these new competitors included competitive local exchange carriers—known as "CLECs"—cable providers, voice over Internet protocol service providers, mobile wireless providers, and even satellite providers.

With all this new competition, FairPoint and other traditional providers have seen their market share of voice customers steadily decline. According to the annual reports the Commission receives from ILECs like FairPoint, the ILECs collectively have seen a 54% drop in the total number of retail voice customers from 2008 to 2016.⁹

⁶ Title 35-A §7201(7).

⁷ FairPoint is a direct successor to one of the original seven RBOCs, and the Federal Communications Commission classifies FairPoint as an RBOC.

⁸ Pub. L. No. 104-104, 110 Stat. 56 (1996).

⁹ 528,633 Total Retail Voice Customers in 2008 compared to 242,161 Total Retail Voice Customers in 2016.

As described above, the general trend for FairPoint, and all Maine ILECs, is a steady decline in retail telephone service customers. The Legislature's interest as expressed in the 2016 Act, however, is the effect, if any, the removal of the POLR service obligation has had on customers in the deregulated municipalities. To have adequate specific information to prepare this Report, the Commission requested preliminary information from FairPoint concerning the deregulated municipalities and POLR service generally.¹⁰

The following table shows the changes in the number of customers subscribing to POLR service in the 22 communities specified in the Act from 2015 to 2016.

Municipality	2015 Total POLR	2016 Total POLR	Percent Change
Bangor	565	362	-35.9%
Lewiston	682	502	-26.4%
Sanford	310	222	-28.4%
South Portland	432	316	-26.9%
Biddeford	274	167	-39.1%
Auburn	380	279	-26.6%
Portland	1,088	773	-29.0%
Cape Elizabeth	221	161	-27.1%
Gorham	223	155	-30.5%
Waterville	229	155	-32.3%
Kennebunk	236	153	-35.2%
Scarborough	362	266	-26.5%
Bath	184	137	-25.5%
Yarmouth	135	106	-21.5%
Old Orchard Beach	180	122	-32.2%
Westbrook	238	180	-24.4%
Freeport	194	129	-33.5%
Brewer	180	128	-28.9%
Kittery	116	80	-31.0%
Windham	228	161	-29.4%
Brunswick	425	286	-32.7%
Augusta	394	294	-25.4%
Total	7,276	5,134	-29.4%

In deregulated communities, the Commission does not have regulatory authority to address disputes between customers and FairPoint; such is the nature of deregulation. It is not uncommon, however, for the Commission's Consumer Assistance and Safety Division ("CASD") to receive complaint calls regarding utility services that the

¹⁰ The Commission's request is attached to this report as Appendix A.

Commission does not regulate. In these cases, CASD explains the Commission's regulatory authority, or lack thereof, and directs consumers to the utility, company, or agency that is best able to address their complaints. CASD will continue to exercise this approach if the Commission receives complaints about FairPoint service in deregulated municipalities. However, the Commission has not, to date, received any complaints from consumers about an inability to receive voice service from FairPoint.

C. EFFECT OF POLR SERVICE OBLIGATION REMOVAL ON FAIRPOINT'S WORKFORCE

The workforce and personnel information provided to the Commission by FairPoint is considered by the Company to be proprietary and confidential business information. Consequently, the Commission cannot share any specific information. In addition, the fact that POLR service obligation removal began only a little over a year ago, and has been implemented gradually, renders problematic any analysis of the specific effect of the removal of the POLR service obligation on FairPoint's workforce. It is the Commission's expectation, however, that the information provided by FairPoint will be useful as benchmark data that will enable the Commission to better analyze the effect of POLR obligation removal on FairPoint's workforce in the report the Commission presents to the Legislature in 2020.

Generally, however, it is the Commission's view that the location of FairPoint personnel is not as important as the number of personnel available company-wide in Maine to answer calls, provision service, and resolve maintenance issues. It is the Commission's understanding that many employees already serve regions of the State instead of a specific municipality. Therefore, the removal of the POLR service obligation, in and of itself, is unlikely to specifically impact the workforce count. Finally, FairPoint has expressed in other proceedings that the Company intends to maintain staffing levels for the near future. According to FairPoint, this is a result of major investments in Maine's broadband network due to recent federal funding, FairPoint's recent merger with Consolidated Communications, and the additional maintenance work resulting from the resolution of recent service quality investigations conducted by the Commission.

D. EFFECT OF POLR SERVICE OBLIGATION REMOVAL ON THE MAINTENANCE AND STATUS OF FAIRPOINT'S COPPER LINE NETWORK

FairPoint considers engineering and maintenance information regarding its copper line network to be proprietary and confidential business information. Consequently, the Commission cannot share any specific information provided by FairPoint. Generally speaking, however, the capital expenditures indicate an increase in spending from 2015 to 2016. In addition, the Company's plans for 2015 and 2016 generally included upgrades or improvements to FairPoint's telecommunications network. Some of these improvements were upgrades at FairPoint's Central Offices and Remote Terminals that serve voice and broadband customers, including updates to FairPoint's

telecommunications network in municipalities that have seen the POLR service obligation removed.¹¹

E. EFFECT OF POLR SERVICE OBLIGATION REMOVAL ON PUBLIC SAFETY

According to the Commission's Emergency Communications Services Bureau, there were no issues with 9-1-1 calls or emergency services as a result of changes to POLR service in the deregulated communities. The Commission is unaware of any other potential effects on public safety as a direct result of the removal of the POLR service obligation in a given municipality.

F. EFFECT OF POLR SERVICE OBLIGATION REMOVAL ON THE COST, FEATURES, AND AVAILABILITY OF TELEPHONE SERVICE

Since the initial seven communities were fully deregulated, FairPoint has not implemented increases for basic local service in those communities, or anywhere else in Maine. FairPoint has indicated to the Commission that the Company has no current plans to increase basic local rates for any customer (POLR or POLR equivalent).¹²

G. EFFECT OF POLR SERVICE OBLIGATION REMOVAL ON THE COST, FEATURES, AND AVAILABILITY OF SERVICE TO THE HEARING IMPAIRED

The removal of the POLR obligation has not changed or impacted the cost, features, or availability of voice services to the hearing impaired. In addition, the cost of basic telephone service in deregulated municipalities is the same as the cost of POLR service where the obligation remains.

H. EFFECT OF POLR SERVICE OBLIGATION REMOVAL ON BROADBAND SERVICE

While POLR service and broadband service may, in some instances, share underlying facilities, they remain two separate and distinct services. If a customer can currently receive broadband service from FairPoint, the removal of any particular voice service offering, including POLR service, should not impact the customer's ability to receive broadband service from FairPoint. Indeed, if a customer purchases a "bundled" package of broadband and voice service, that customer is not currently a POLR service customer, regardless of municipality.

¹¹ The Commission will request information from FairPoint regarding the Company's infrastructure improvements in 2017-2019, and will include that information in the Commission's report to the Legislature in January 2020.

¹² The 2016 Act established a POLR rate in statute and allowed Price Cap ILECs to increase the POLR rate by up to 5% annually. 35-A M.R.S. § 7222-A.

As noted above, the Company has numerous projects ongoing throughout its service territory to update Central Offices and Remote Terminals. Many of these projects are referred to as "overlays" and serve to update the electronics at these sites to more modern equipment that can improve broadband speeds and the efficiency and quality of both Internet and voice service running through these sites. These equipment updates, combined with increased fiber deployment, should improve the internet and voice experience for the end-user customer.

FairPoint is also participating in a federally-funded program that provides \$80 million over six years to provide customers in unserved or underserved area with broadband speeds of at least 10 Mbps down and 1 Mbps up. To the best of the Commission's knowledge, it does not appear that any of the municipalities that have had or will have their POLR service obligation removed meet the criteria for funding under this federal project. As noted above, however, FairPoint continues to make ongoing updates to its facilities in communities across Maine, including communities that are, or soon will be, deregulated.

III. COMMISSION RECOMMENDED LEGISLATION

The Commission does not propose any legislative changes at this time.

APPENDIX A



Mark A. Vannoy
CHAIRMAN

Carlisle J. T. McLean
R. Bruce Williamson
COMMISSIONERS

STATE OF MAINE PUBLIC UTILITIES COMMISSION

Harry Lanphear
ADMINISTRATIVE DIRECTOR

November 17, 2016

Sarah Davis
Senior Director, Government Relations and Wholesale Strategies
FairPoint Communications
1 Davis Farm Rd.
Portland, ME 04103

Dear Ms. Davis;

Pursuant to 35-A M.R.S. § 112(5), the Maine Public Utilities Commission (Commission) is requesting data and information from Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE (FairPoint), Community Service Telephone Company (Community Service), and Northland Telephone Company of Maine (Northland and collectively with FairPoint and Community service, the Price Cap ILECs). The data and information requested by this letter is essential to the ability of the Commission to carry out its obligations pursuant to Maine law; specifically, the Commission's obligations under P.L. 2015, ch. 462 "An Act to Increase Competition and Ensure a Robust Information and Telecommunications Market" (the Act).¹³

Section 7 of the Act requires the Commission to submit to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters, reports related to the removal of the Provider of Last Resort (POLR) service obligation for Price Cap ILECs in Maine communities.¹⁴

The Commission's review of the effects of relieving Price Cap ILECs from their POLR service obligations will consist of two reports, one due in January of 2018 and the other due in January of 2020. Pursuant to the Act, these reports must include the effect of the removal of POLR service on former POLR service customers, the Price Cap ILEC's workforce, the maintenance and status of the copper line network, public safety, and the cost, features and availability of telephone service, including service to the hearing impaired, and broadband service.

In order to prepare these reports for the Legislature, the Commission must document certain facts and develop a baseline of data which can be used as point of reference for the reports.

¹³ Title 35-A M.R.S. § 112(5) requires a telephone utility to provide the Commission "upon request or order information relevant to the [C]ommission's implementation or enforcement of any provision of state or federal law or rule to which the telephone utility . . . is subject and over which the [C]ommission exercises authority or jurisdiction."

¹⁴ FairPoint, Community Service, and Northland all satisfy the definition of "Price Cap ILEC" in 35-A M.R.S. § 7102(6-A).

APPENDIX A

Accordingly, the Commission is requesting the Price Cap ILECs provide the following information:

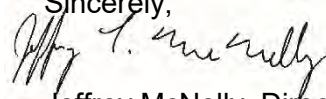
- The Price Cap ILECs' workforce by location, position, and title, as of August 1, 2016.
- All engineering studies, capital improvement plans, or any other documents related to each Price Cap ILEC's copper line network and associated appurtenances, by year, for 2015, 2016, and 2017.
- All engineering studies, capital improvement plans, or any other documents related to each Price Cap ILEC's broadband network and associated appurtenances, by year, for 2015, 2016, and 2017
- Documentation of all planned and actual capital expenditures for each Price Cap ILEC for 2015, 2016, and 2017.
- Documentation (including the cost) of budgeted and performed maintenance activities for the copper line network and associated appurtenances for each Price Cap ILEC by year for 2015, and 2016, and 2017.
- Documentation (including the cost) of budgeted and performed maintenance activities for the broadband network and associated appurtenances for each Price Cap ILEC by year for 2015, and 2016, and 2017.
- Locational data for broadband locations planned and deployed by each Price Cap ILEC using Connect America Fund (CAF) proceeds, and a breakdown of CAF proceeds expended by each Price Cap ILEC.
- A breakdown of all other retail broadband expenditures (non-CAF related) for each Price CAP ILEC from 2015 and 2016 listed by municipality.
- All information relative to the cost, features, and availability of telephone service, including service to the hearing impaired, and broadband service, for each Price CAP ILEC as of August 1, 2016.
- The number of monthly customer-reported network troubles (residential, business, and total) for each Price Cap ILEC for 2015 and 2016 listed by municipality.
- The number of monthly network-related service troubles not cleared within 48 hours (residential, business, and total) for each Price Cap ILEC for 2015 and 2016 listed by municipality.
- The number of POLR residential, non-POLR residential, POLR business, and non-POLR business customers for each Price Cap ILEC listed by municipality for each month of 2015 and 2016.
- The number of DSL, FAST Internet, and retail Ethernet customers (residential, business, and wholesale) for each Price Cap ILEC listed by municipality for each month of 2015 and 2016.

The Commission also encourages the Price Cap ILECs to provide any additional relevant information to assist the Commission in the preparation of these reports. Please provide information in MS Excel format when applicable. Data should be submitted to the Commission's Case Management System using the confidential project file titled: CONFIDENTIAL - POLR REPORTS-POLR.

APPENDIX A

Thank you for your prompt attention to this request. If there are any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey McNelly". The signature is written in a cursive style with a large initial "J".

Jeffrey McNelly, Director
Telephone and Water Division

APPENDIX B

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

NORTHERN NEW ENGLAND

**D/B/A FAIRPOINT
COMMUNICATIONS**

**RE: Commission Initiated Inquiry Into
2018 POLR Obligation Removal Report
to Legislature**

Docket No. 2017-00070

**COMMENTS OF THE OFFICE
OF THE PUBLIC ADVOCATE**

December 18, 2017

The Office of the Public Advocate (OPA) submits these comments in response to the Report Regarding Commission Review of Relief of the Provider of Last Resort Service Obligation Pursuant to the Provisions of Public Law 2015, Chapter 462 (Report), filed in this docket on November 16, 2017.

The OPA does not disagree with the Report’s description of the removal of FairPoint’s Provider of Last Resort service obligation from the seventeen municipalities that have been affected to date. We believe, however, that both the Commission and the Legislature should recognize that it is too early in the POLR obligation removal process to see any indicative trends or draw any meaningful conclusions. Of the seventeen municipalities where the POLR obligation has been removed, five experienced this removal in November 2017, and the existing POLR customers in those municipalities will receive a “grandfathered” POLR service, with no changes occurring until November 2018. Of the remaining 12

APPENDIX B

municipalities, the POLR obligation was removed in five of them in April of 2017, and existing POLR customers there are also still receiving grandfathered POLR service, which will continue until April of 2018. Only in the initial set of seven municipalities where the POLR obligation was removed in August of 2016 has POLR service been discontinued for all customers, and this has been for a period of less than six months.

Because of the very limited amount of time for which POLR service has not been available, and the small geographic area affected, there is simply not enough data available to determine the effect of POLR removal on customers, the state of the FairPoint network and workforce, public safety, or the availability of telephone service. The OPA urges the Legislature and the Commission to refrain from making, any judgments or decisions concerning the effects of the removal of POLR service until the Commission submits its second report in January of 2020.

Respectfully submitted,



Robert A. Creamer
Senior Counsel



Elizabeth J.
Wyman Senior
Counsel

APPENDIX B

Dec 28, 2017

Public Utilities Commission (PUC) Maine PUC
18 State House
Station Augusta,
ME 04333

TO: Maine Public Utilities Commission Public Utilities Commission
(PUC) PUC,

I care about the protection of basic landline telephone service in Maine. I am concerned that the approved list of 22 deregulated towns may soon include more Maine towns and the changes to basic landline telephone service will impact more customers. I urge you to protect communities and customers who do not have an affordable and reliable alternative to their current POLR service. Please think about older Mainers when you are making these significant and irreversible changes to landline regulation. 22 communities is more than enough.

Thank you for your service to the people

of Maine. Sincerely,

Ms. Dianna Haller
29 LEDGEMERE RD
ORRS
ISLAND, ME

[REDACTED]