

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of Frontier Communications Corporation, Frontier of America, Inc., (U-5429-C), and Frontier California, Inc., (U-1002-C) to Determine Whether Frontier Violated the Laws, Rules, and Regulations of this State through Service Outages and Interruptions and Disclosing and Publishing Customer Addresses.

**FILED
PUBLIC UTILITIES COMMISSION
DECEMBER 19, 2019
SAN FRANCISCO
I.19-12-009**

ORDER INSTITUTING INVESTIGATION

I. SUMMARY

By this Order, the Commission institutes an investigation (OII) to determine whether Frontier Communications Corporation, Frontier Communications of America, Inc., (U-5429-C) and Frontier California, Inc., (U-1002-C) (herein referred to as "Frontier") violated any provision(s) of the California Public Utilities (PU) Code, Commission General Orders or decisions, or other applicable California laws, rules, and regulations by subjecting customers to widespread outages and service interruptions. Additionally, based on the Staff Report, the Commission orders Frontier to show cause why it should not be assessed a \$2.5 million penalty for disclosing and publishing the addresses of residential customers who had elected to have their addresses suppressed from Frontier's 411 and directory assistance in 2016.

In 2015, the Commission approved the joint application for the transfer and control of Verizon California Inc. (U-1002-C) (Verizon), Verizon Long Distance, LLC., (U-5732-C), and Newco West Holdings, LLC., together with certain assets held by it and the customer accounts of Verizon Long Distance, LLC (Verizon LD) in the service

territory of Verizon California, Inc., to Frontier Communications Corporation and Frontier Communications of America, Inc., (U-5429-C) (Frontier).¹

Starting April 1, 2016, Verizon transferred (a process it refers to as cutover of services) its California voice,² internet, and video services to Frontier. The cutover caused two issues: (1) Many Frontier customers experienced service outages or interruptions between April to June 2016 to their voice, internet, and video services; customers also experienced poor customer support from Frontier in resolving such issues; and (2) during the same period, Frontier published customers' address records that were designated as blocked from publication in online and printed directories.

In Decision (D.) 16-12-066, the Commission ordered the Commission's Consumer Protection and Enforcement Division (CPED) to investigate these outages and determine whether an OII into violations of state laws or Commission's rules, orders, and Decisions, arising from the outages following the cutover, is appropriate.³ CPED has completed its investigation and prepared a Staff Report, which describes the results of its investigation into the outages and alleges possible violations. The Staff Report is issued in conjunction with this OII and will be placed into the record in this proceeding. We therefore open this proceeding in order to consider whether the Commission should impose fines or other remedies for Frontier's apparent actions in violation of the laws, rules, and regulations as described below.

This OII will consider the evidence provided in the Staff Report and any additional evidence uncovered in the course of this proceeding that forms the basis for these allegations and whether this evidence proves any violations of applicable laws, rules, or regulations. We hereby place Frontier on notice that as a result of this investigation we may impose monetary fines, customer refunds, and remedial actions, pursuant to our statutory authority.

¹ D.15-12-005.

² The term "voice" refers to all voice technologies including Voice Over Internet Protocol (VOIP) and copper-wire systems.

³ D.16-12-066, Ordering Paragraph 13.

II. FACTUAL BACKGROUND

CPED has completed an investigation into the service outages and interruptions between April to June 2016 to customers' voice, internet, and video services and the unauthorized disclosure and publication of customer addresses by Frontier. A public version of CPED's Staff Report, entitled "*Investigation Into Frontier Communications Corporation, Frontier Communications of America, Inc., (U-5429-C) and Frontier California's (U-1002-C) Service Outages And Breach Of Customer Addresses*," dated October 15, 2019 (Staff Report), will be placed in the docket for this proceeding and made available to the public; Respondent Frontier will be served with a confidential version of the Staff Report.

A. The Transfer of Verizon California to Frontier California

On December 9, 2015, the Commission issued D.15-12-005, approving the joint application of Frontier Communications Corporation, Frontier Communications of America, Inc., (U-5429-C) (Frontier America), Verizon California Inc., (U-1002-C) Verizon Long Distance, LLC., (U-5732-C) (Verizon LD), and Newco West Holdings, LLC., for the transfer and control of Verizon California, Inc., together with certain assets held by it and the customer accounts of Verizon Long Distance, LLC. in the service territory of Verizon California, Inc., to Frontier Communications Corporation (Frontier).⁴

Starting on April 1, 2016, Verizon transferred its California voice, internet, and video services assets, including customer accounts and physical assets (poles, wires, switches, trucks, central offices etc.), to Frontier.⁵

After the service cutover, many Frontier customers experienced service outages and interruptions to their voice, internet, and TV/video services. Voice customers lost dial tones and were not able to make or receive calls, including emergency calls to 911. CPED's Staff Report states that:

⁴ "*Investigation Into Frontier Communications Corporation, Frontier Communications of America, Inc., (U-5429-C) and Frontier California Inc (U-1002-C) Service Outages And Breach Of Customer Addresses*", October 15, 2019 (Staff Report), at p. 2.

⁵ Staff Report at p. 2.

1. Frontier acquired 1,612,712 voice access lines from Verizon.⁶
2. The outages began on April 6, 2016.⁷
3. The outages affected interconnected Voice over Internet Protocol (VoIP) voice services, internet, and video services. Copper-wire phone service was unaffected.⁸
4. Frontier cleared the backlog of service trouble tickets by mid-June 2016.⁹

B. Cutover on April 1, 2016 Resulted in Service Outages and Loss Of 911 Access

Starting on April 1, 2016, Verizon transferred its California wireline operations including customer directory services to Frontier. Customers absorbed by Frontier experienced widespread voice, internet, and video services outages and interruptions from April to June 2016.¹⁰ During the outages, these customers were denied a dial tone and had no access to 911 emergency services.¹¹ Frontier stated that the outages were caused by corruption in parts of the customer database and inaccurate serial number information of customer network terminal devices transferred from Verizon.

C. Poor Customer Support During the Outages

Frontier customers experienced poor customer support in resolving their issues.¹² The CPUC Consumer Affairs Branch (CAB) recorded over 500 consumer complaints in the three months following the cutover.¹³ Frontier acknowledged responsibility for the outages and interruptions, the large backlog of customer service tickets, and the understaffing of knowledgeable technical support staff during the cutover. Frontier

⁶ Staff Report at 3

⁷ Staff Report at 3

⁸ Staff Report at 4.

⁹ Staff Report at 4

¹⁰ Staff Report at 34.

¹¹ Staff Report at 34.

¹² Staff Report at 20-27.

¹³ Staff Report at 16-17.

indicated that it issued 35,000 bill credits ranging from \$1 to \$200 totaling \$996,000 to internet, voice, and video services customers.¹⁴

D. Disclosure of unpublished customer addresses

As part of the Verizon-Frontier cutover, Frontier assumed the Verizon-Cox interconnection agreement to provide directory-listing services on behalf of Cox to Cox's customers and other wholesalers/CLECs.¹⁵ Frontier published customers' address records designated as blocked from publication in online and printed directories without authorization.

III. DISCUSSION

A. Jurisdiction Over Frontier

The Commission has jurisdiction over Frontier, pursuant to D.15-12-005, which approved the transfer and control of Verizon California, Inc., together with certain assets held by it and the customer accounts of Verizon Long Distance, LLC. in the service territory of Verizon California, Inc., to Frontier.¹⁶ Verizon California held a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange service in California, primarily in Southern California, and had approximately two million lines in service. Verizon California had been an incumbent local exchange carrier (ILEC) in those territories, and it also held competitive local exchange carrier (CLEC) authority to operate in AT&T's service territory, pursuant to D.95-12-057. Verizon California was deemed a carrier of last resort (COLR) per D.99-09-066. Frontier, as a result of D.15-12-005, is a CPCN holder licensed by the Commission to provide telecommunications services as a CLEC. Because of its acquisition of Verizon's assets and its CPCN, the Commission has authority to investigate Frontier's role in the outages that customers experienced and the interruptions to customers' telephone service provided via voice, internet, and video services, as well as the unauthorized disclosure

¹⁴ Staff Report at 25.

¹⁵ Staff Report at 27.

¹⁶ Staff Report at 2.

and publication of confidential subscriber information. PU Code §§ 710 (c)(8)¹⁷ and 710(d)¹⁸ also allow the Commission to resolve 911 service failures and certain consumer complaints about telephone service, even if the service includes VoIP and IP technologies.

B. Frontier’s Widespread Outages and Service Interruptions Resulted in Possible Violations of Commission Decisions and the PU Code

1. Possible Violation of Public Utilities Code §§ 451 and 2896(b)

Section 451 of the PU Code provides that all charges demanded or received by any public utility for any service rendered shall be just and reasonable and that every public utility shall furnish and maintain such adequate, efficient, just, and reasonable service. Section 2896(b) of the PU Code provides that all telephone corporations are required to provide customers with the ability to access a live operator by dialing the numeral “0” as an available, free option. Frontier’s conduct here, namely failing to provide customers with adequate service during the transition and, in particular, failing to deal with known transition issues such as data integrity issues, system replication capability issues, and integration training issues, constitutes a failure to furnish and maintain just and reasonable service in violation of § 451. In addition, Frontier’s failure to ensure that customers were unable to access a live operator during the services outages and interruptions may constitute a violation of § 2896(b).

2. Possible Violation of Public Utilities Code § 2883(a)(2)(b)

Section 2883(a)(2)(b) of the PU Code provides that all local telephone corporations, to the extent permitted by existing technology or facilities, shall provide every subscriber of tariffed residential basic exchange service with access to 911 emergency service. Frontier’s conduct here, namely the failure of its Cutover Plan,

¹⁷ PU Code § 710(c)(8): “The Warren-911-Emergency Assistance Act (Article 6 (commencing with Section 53100) of Chapter 1.5 of Part 1 of Division 2 of Title 5 of the Government Code).”

¹⁸ PU Code § 710(d): “This section does not affect the enforcement of any state or federal criminal or civil law or any local ordinances of general applicability, including, but not limited to, consumer protection and unfair or deceptive trade practice laws or ordinances, that apply to the conduct of business...”

resulted in subscribers being unable to access 911 emergency services during the outages. We will investigate whether Frontier's failure to provide 911 services violated §2883(a)(2)(b), or any other applicable laws, rules, or regulations.

3. Possible Violation of Public Utilities Code § 2896(c)

We will investigate whether Frontier's poor customer service during the conversion is a violation of PU Code §§ 2896(c). Section 2896(c) of the PU Code provides that all telephone corporations are required to provide customers with reasonable statewide service quality standards, including but not limited to, standards regarding network technical quality and customer service. Frontier's poor customer support in the wake of the service outages and interruptions could constitute a violation of § 2896(c). Frontier's conduct, namely, sending the majority of their 5,300 support representatives to training during the transition period, rendered the most experienced staff, unavailable during the cutover. Numerous accounts, detailed at the Utilities and Commerce Committee hearing on May 18, 2016 speak to the inadequate customer support experienced during the transfer.¹⁹ Furthermore, Frontier's own service quality reporting demonstrates deterioration of customer support during the transfer.²⁰

C. Possible Violations as a Result of Frontier Publishing Customer Address Records That Were Designated as Blocked From Publication in Online and Printed Directories Without Authorization

The Commission will investigate whether the unauthorized disclosure and publication of suppressed customer addresses numbers allegedly committed by Frontier, violates California's recognized constitutional right of privacy.²¹ The disclosure and publication of suppressed customer may also violate the "just and reasonable" standards of § 451.

¹⁹ Staff Report at 22-24.

²⁰ Staff Report at 25- 27.

²¹ Cal. Const. Art. I, § 1.

1. California Constitution, Article I, § 1

The California Constitution protects the privacy rights of subscribers of communications services. Article I, § 1 of the California Constitution states:

All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.²²

The California Supreme Court has held that Article I, § 1 of the California Constitution requires that both “public and private institutions [that] collect and preserve data about individual citizens must be subject to constitutional control.”²³ In other words, private corporations that are stewards of personal information are subject to the California Constitutional right to Privacy. Further, the United States Supreme Court has recognized that “[a]n individual’s interest in controlling the dissemination of information regarding personal matters [such as home addresses, in this case,] does not dissolve simply because that information may be available to the public in some form.”²⁴ Californians thus have a Constitutional right to keep their home addresses from being disseminated by the government or a private entity under Article 1, § 1, even if the home address information is available elsewhere. Furthermore, because telephone subscribers must provide their telephone number, service address, and billing address in order to receive services, the California Supreme Court held that providing such information to a telephone company was “not volitional” and thus “the customer's expectation of privacy in information gathered by the company during the regular course of its business must be

²² Cal. Const., Art. I, § 1.

²³ *Jennifer Hill et al., v. National Collegiate Athletic Association*, 7 Cal.4th 1, 19 (1994).

²⁴ *United States Department of Defense, et al., Petitioners v. Federal Labor Relations Authority et al.*, 510 U.S. 487, 500 (1994).

honored as a reasonable one.”²⁵ Therefore, we will investigate whether Frontier’s unauthorized release of customers’ personal records violated the California Constitution.

Pursuant to a Verizon-Cox Interconnection Agreement, Verizon as an ILEC (Incumbent Local Exchange Carrier) was required to provide directory listing services in published and online directories and directory assistance (411) products to its competitive local exchange carriers (CLEC), Cox being one of them.²⁶ As a result of the acquisition, Frontier is now responsible for publishing the information consistent with Cox’s request.

After the cutover and after conducting a routine internal audit of its customers’ directory listing in June 2016, Cox discovered that Frontier had published previously suppressed customer addresses and reported the issue to Frontier on July 1, 2016.²⁷ Frontier did not detect the problem for months after the cutover from Verizon, when Cox brought it to Frontier’s attention.²⁸ Frontier also detected that its own customer records were also published without the customer’s authorization.²⁹

2. Public Utilities Code § 451

Section 451 of the PU Code provides that all charges, services, instrumentalities, and rules of a public utility must be just and reasonable. Frontier’s conduct here may constitute breach of contract and defeat the reasonable expectations of privacy in those customers who specifically subscribed for an unpublished address. If so, such conduct cannot be considered just and reasonable. While Frontier did not charge customers a separate charge for the non-publishing service, by affirmatively offering to provide the service, they were then bound to furnish such service in a just and reasonable manner.

²⁵ See *People v. Chapman* (1984) 36 Cal.3d 98, 36 Cal.3d at 108 (in this case, the question was whether a phone company was allowed to give a person’s address to the police despite the police not having a search warrant for such information).

²⁶ Staff Report at 27.

²⁷ Staff Report at 29.

²⁸ Staff Report at 29.

²⁹ Staff Report at 31.

IV. NOTICE OF FINES AND OTHER REMEDIES

A. Possible Fines and Remedies

The Commission places Frontier on notice that pursuant to PU Code § 2101, the Commission is empowered to enforce provisions of the California Constitution, as well as the PU Code.³⁰ Any violation of the PU Code or a Commission decision or order is subject to fines of \$500 to \$100,000 for each violation, for each ongoing day, pursuant to §§ 2107 and 2108. Further, per § 2111, every corporation or person, other than a public utility “which or who aids or abets any violation of the California Constitution or Commission order, decision, rule, direction, or demand, or requirement of the [C]ommission” is subject to a penalty of \$500 to \$50,000 for each offense. We further place Frontier on notice that pursuant to § 761, *inter alia*, the Commission may impose additional remedies in the form of refunds to customers, additional reporting requirements, operational or policy measures designed to ensure customer privacy, or any other appropriate remedy as needed.

While this OII orders Frontier to show cause why the Commission should not impose a \$2.5 million penalty related to unauthorized disclosure and publication of customer addresses without first obtaining their permission in 2016, Frontier is hereby put on notice that the Commission may impose further penalties, if warranted, upon further investigation into the unauthorized publication of suppressed addresses.

V. ORDER TO SHOW CAUSE

The California Constitution protects the privacy rights of subscribers of communications services. Article I, § 1 of the California Constitution states:

All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life

³⁰ Section 2101 states: “The commission shall see that the provisions of the Constitution and statutes of this State affecting public utilities, the enforcement of which is not specifically vested in some other officer or tribunal, are enforced and obeyed, and that violations thereof are promptly prosecuted and penalties due the State therefor recovered and collected, and to this end it may sue in the name of the people of the State of California.”

and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.³¹

The California Supreme Court has held that Article I, § 1 of the California Constitution requires that both “public and private institutions [that] collect and preserve data about individual citizens must be subject to constitutional control.”³² In other words, private corporations that are stewards of personal information are subject to the California Constitutional right to Privacy. Further, the United States Supreme Court has recognized that “[a]n individual’s interest in controlling the dissemination of information regarding personal matters [such as home addresses, in this case,] does not dissolve simply because that information may be available to the public in some form.”³³ Californians thus have a Constitutional right to keep their home addresses from being disseminated by the government or a private entity under Article 1, § 1, even if the home address information is available elsewhere. Furthermore, because telephone subscribers must provide their telephone number, service address, and billing address in order to receive services, the California Supreme Court held that providing such information to a telephone company was “not volitional” and thus “the customer's expectation of privacy in information gathered by the company during the regular course of its business must be honored as a reasonable one.”³⁴

Pursuant to a Verizon-Cox Interconnection Agreement, Verizon as an ILEC (Incumbent Local Exchange Carrier) was required to provide directory listing services in published and online directories and directory assistance (411) products to its competitive

³¹ Cal. Const., Art. I, § 1.

³² *Jennifer Hill et al., v. National Collegiate Athletic Association*, 7 Cal.4th 1, 19 (1994).

³³ *United States Department of Defense, et al., Petitioners v. Federal Labor Relations Authority et al.*, 510 U.S. 487, 500 (1994).

³⁴ *See People v. Chapman* (1984) 36 Cal.3d 98, 36 Cal.3d at 108 (in this case, the question was whether a phone company was allowed to give a person’s address to the police despite the police not having a search warrant for such information).

local exchange carriers (CLEC), Cox being one of them.³⁵ As a result of the acquisition, Frontier is now responsible for publishing the information consistent with Cox's request.

After the cutover and after conducting a routine internal audit of its customers' directory listing in June 2016, Cox discovered that Frontier had published previously suppressed customer addresses and reported the issue to Frontier on July 1, 2016.³⁶ Frontier did not detect the problem for months after the cutover from Verizon, when Cox brought it to Frontier's attention.³⁷ Frontier also detected that its own customer records were also published without the customer's authorization.³⁸

Based on the Staff Report, the Commission finds that Frontier violated Article I, § 1 of the California Constitution and PU Code §§ 451 in 2016 by disclosing and publishing suppressed customer addresses and numbers without first obtaining customer authorization. Frontier is therefore ordered to show cause why it should not be assessed a \$2.5 million penalty for improperly disclosing and publishing the addresses of residential and business customers who had elected to have their addresses suppressed from Frontier's 411 and directory assistance. The penalty assessed is based on consideration of the factors identified in Decision (D.) 98-12-075.

Based on the Staff Report, the Commission finds a single violation that is continuing in nature.³⁹ Using the factors in D.98-12-075, we consider this to be a serious offense. The Commission has considered Frontier's financial status and fines imposed in prior decisions⁴⁰ in determining the level of the fine and finds that \$2.5 million is appropriate based on the totality of the circumstances.

³⁵ Staff Report at 27.

³⁶ Staff Report at 29.

³⁷ Staff Report at 29.

³⁸ Staff Report at 31.

³⁹ See P.U. Code § 2108.

⁴⁰ See e.g., D.15-09-009, Decision Approving Settlement Regarding Unauthorized Disclosure and Publication of Unlisted Telephone Numbers.

VI. PRELIMINARY SCOPING MEMO

Rule 7.1(c) requires an OII to include a preliminary scoping memo. The issues in this investigation are preliminarily determined to be as follows:

1. Were Frontier's widespread outages and service interruptions during its transition in violation of PU Code §§ 451 and 2896(b)?
2. Was Frontier's failure to provide 911 services a violation of PU Code § 2883(a)(2)(b), or any other applicable laws, rules, or regulations?
3. Was Frontier's poor customer service during the conversion a violation of PU Code § 2896(c)?
4. Should the Commission impose a penalty of \$2.5 million on Frontier for violating Article I, § 1 of the California Constitution and PU Code § 451 because it disclosed and published suppressed customer addresses without first obtaining customer authorization in 2016?
5. What penalties, in the form of fines and remedies, should be imposed for any proven violation(s) found above pursuant to PU Code §§ 761, 2101, 2107, 2108, and 2111?

Within 30 days of the mailing date of this order, Respondent Frontier shall file and serve a response to this OII. If more time is needed, Respondent shall meet and confer with Staff prior to requesting an extension from the Administrative Law Judge (ALJ).

The assigned ALJ will set a schedule for the Prehearing Conference (PHC). The PHC will address scoping and scheduling issues.

VII. PROCEEDING CATEGORY & NEED FOR HEARING

The Commission determines that this proceeding is adjudicatory as defined in Rule 1.3(a), and evidentiary hearings are necessary. The categorization is appealable under Rule 7.6 of the Commission's Rules of Practice and Procedure.

VIII. PUBLIC RELEASE OF CPED REPORT

Fundamentally, the public has the constitutional right to scrutinize Commission business,⁴¹ which is undertaken on behalf of the public. In that vein, the Commission has the discretion to disclose investigation records under § 583 of the Public Utilities Code.

In this instance, the public interest in transparency outweighs Frontier's interest in maintaining the confidentiality of the information it has provided in the course of CPED's investigation, unless Frontier can demonstrate a valid legal basis for maintaining confidentiality of such records.

The Commission expects to release the CPED Report and all supporting attachments. Prior to making the CPED Report and supporting attachments public, Frontier shall have an opportunity to propose redactions. Frontier's proposed redactions, supporting objections, and declarations shall be due 10 days after the date this OII is issued. CPED shall then meet with Frontier regarding its proposed redactions, supporting objections and declarations, and file and serve a confidential and a public version of the Report, with agreed-upon redactions, within 10 days after receiving Frontier's proposed redactions. If Frontier and CPED cannot agree on the proposed redactions, the assigned Administrative Law Judge shall, by ruling, determine what information shall remain redacted.

IX. EX PARTE COMMUNICATIONS PROHIBITED

Article 8 of the Commission's Rules of Practice and Procedure applies to all communications with decision makers and advisors regarding the issues in this proceeding. This proceeding is categorized as adjudicatory and Rule 8.2(b) prohibits *ex parte* communications.

THEREFORE, IT IS ORDERED that:

1. An investigation is instituted to determine whether Respondent Frontier Communications Corporation, Frontier of America, Inc., (U-5429-C), and Frontier California, Inc., (U-1002-C) violated any provision of the California Constitution, Public

⁴¹ See Cal. Const. Art 1, §3(b)(1).

Utilities Code or Commission general orders, statutes, resolutions, directives, or requirements in connection with the service outages and interruptions of voice services.

2. Frontier Communications Corporation, Frontier of America, Inc., (U-5429-C), and Frontier California, Inc., (U-1002-C) are ordered to show cause why the Commission should not impose a penalty of \$2.5 million for Frontier's disclosure and publication of suppressed customer addresses and numbers without first obtaining customer authorization in 2016.

3. The Respondents to the OII/OSC are Frontier Communications Corporation, Frontier Communications of America, Inc., (U-5429-C), and Frontier California, Inc., (U-1002-C).

4. The Commission may impose fines in this matter pursuant to Public Utilities Code §§ 2107, 2108, and 2111, *inter alia*, and may order the implementation of operational and policy measures designed to prevent release of subscribers' confidential information pursuant to Public Utilities Code § 761, *inter alia*.

5. The Consumer Protection and Enforcement Division shall continue to investigate the operations of Respondent. Staff may propose to amend the OII to raise additional charges or name additional Respondents in a motion to amend the OII which shall be supported by a Staff declaration supporting the proposed amendments or changes.

6. Pursuant to Rule 7.1(c), of the Commission's Rules of Practice and Procedure, this proceeding contains a preliminary scoping memo, is categorized as adjudicatory, and is deemed to require evidentiary hearings. The determination as to the category is appealable under Rule 7.6 of the Commission's Rules of Practice and Procedure.

7. Frontier shall have 10 days after the date this OII is issued to propose redactions, provide supporting objections and declarations to the Staff Report. CPED shall then meet with Frontier regarding its proposed redactions, supporting objections and declarations, and file and serve a confidential and a public version of the Report, with

agreed-upon redactions, within 10 days after receiving Frontier's proposed redactions. If Frontier and CPED cannot agree on the proposed redactions, the assigned Administrative Law Judge shall, by ruling, determine what information shall remain redacted from CPED's Staff Report. After this process is completed, a copy of CPED's Staff Report will be placed in the record of this proceeding.

8. Pursuant to Rule 8.2(b) of the Commission's Rules of Practice and Procedure, ex parte communications are prohibited.

9. The Executive Director shall cause a copy of this Order to be served electronically and by certified mail on Frontier:

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This order is effective today.

Dated December 19, 2019, at San Francisco, California.

MARYBEL BATJER
President
LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
GENEVIEVE SHIROMA
Commissioners