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Public Utility Commission of Texas
PUBLIC UTILITY COMMISSION
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TO: Joe Chicoine
9260 E. Stockton Blvd.
Elk Grove, CA 95624

Legal Division
Infrastructure & Reliability Division

FROM: Stephanie Frazzell
Administrative Law Judge

RE: Docket No. 45932– *Application of Frontier Southwest Incorporated d/b/a Frontier Communications of Texas for an Amendment to its Certificate of Convenience and Necessity*

NOTICE OF APPROVAL

This Notice approves the application of Frontier Southwest Incorporated d/b/a Frontier Communications of Texas (Frontier) for a name change amendment to its certificate of convenience and necessity (CCN) No. 40037. Public Utility Commission of Texas (Commission) Staff recommended approval of the application. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History, Description and Background

1. On May 5, 2016, Frontier filed an application for a name change amendment to CCN No. 40037 held by Verizon Communications Inc. (Verizon Southwest).
2. Ownership and control of CCN 40037 was transferred to Frontier on April 1, 2016 from Verizon Southwest.



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3. Frontier would like to change the name on CCN No. 40037 to its assumed name Frontier Southwest Incorporated d/b/a Frontier Communications of Texas.
4. On May 6, 2016, the Commission issued Order No. 1, requiring comments on sufficiency of the application and notice, establishing a procedural schedule and dealing with other procedural matters.
5. On May 20, 2016, Commission Staff filed its response to Order No. 1, stating that the application was sufficient and complete and for Frontier to publish additional newspaper notice.
6. On May 25, 2016, the Commission issued Order No. 2, deeming the application sufficient and complete. The Commission also determined published notice beyond that already provided in the *Texas Register* was not necessary, but required Frontier to mail notice to neighboring cities and utilities providing the same service within 5 miles of CCN No. 40037's service area.
7. On May 27, 2016, Frontier filed a motion for reconsideration and request for good cause waiver of 16 Tex. Admin. Code § 22.52(b) (TAC), stating because there were to be no change in the service area, ownership or services currently provided, the cost of mailed notice outweighed any useful benefit.
8. On July 15, 2016, Order No. 3 was issued, granting a good cause exception to notice requirement 16 TAC § 22.52(b).
9. On July 22, 2016, Commission Staff filed its final recommendation, concluding that Frontier has met the criteria for an amendment to CCN No. 40037 pursuant to PURA¹ and 16 TAC § 26.101. Commission Staff recommended that the Commission approve the application.

Notice

10. Notice of the application was published in the *Texas Register* on May 13, 2016.

Informal Disposition

11. At least 15 days have passed since the completion of all notice requirements.

¹ Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (West 2016) (PURA).

12. No requests to intervene or requests for a hearing were filed in this proceeding, and there are no disputed issues of fact; therefore, no hearing is necessary.

II. Conclusions of Law

1. Frontier is a public utility as defined in PURA § 51.002(8) and telecommunications utility as defined in PURA § 51.002(11).
2. The Commission has jurisdiction over this matter pursuant to PURA §§ 14.001 and 54.051-.054.
3. Notice was provided consistent with 16 TAC § 22.54 and 16 TAC § 26.101(e)(2)(G).
4. Published notice under 16 TAC §§ 22.52(b) was not required because the applicant was granted a good cause exception.
5. Frontier is entitled to approval of the application having met the requirements of PURA §§ 54.051-.054 and 16 TAC § 26.101(b), (d) and (e).
6. Approval of the application is necessary for the service, accommodation, convenience, and safety of the public.
7. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

1. Frontier's application is approved.
2. CCN No. 40037 is amended to reflect its certificated name, Frontier Southwest Incorporated d/b/a Frontier Communications of Texas.
3. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein are denied.

SIGNED AT AUSTIN, TEXAS the 3rd day of August 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE

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