



1775 Industrial Blvd. • Lewisburg, PA 17837  
 Phone: 570-524-2231 • Fax: 570-524-5887



Pamela Polacek, Chief Legal & Regulatory Officer  
 Direct Mail: P.O. Box 129; Venetia PA 15367  
 Direct Phone: 570-724-9469 (o); 717-503-6531 (m)  
[ppolacek@ctenterprises.org](mailto:ppolacek@ctenterprises.org)

June 24, 2021

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 Commonwealth Keystone Building  
 400 North Street, 2nd Floor  
 Harrisburg, PA 17120

VIA E-FILING

**RE: Rulemaking to Comply with the Competitive Classification of Telecommunications Retail Services Under 66 Pa C.S. § 3016(a); General Review of Regulations 52 Pa. Code, Chapter 53, Chapter 63 and Chapter 64; Docket No. L-2018-3001391**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission in the above-reference proceeding are the Reply Comments of Tri-Co Connections LLC and Claverack Communications LLC. Copies of this filing are being served consistent with the attached Certificate of Service.

If you have any questions regarding this filing, please feel free to contact the undersigned. Thank you.

Very truly yours,

*Pamela C. Polacek*

By

Pamela C. Polacek

Counsel to Tri-Co Connections, LLC and  
 Claverack Communications LLC

Enclosure

c: Certificate of Service

David Screven, Esq., Law Bureau (via Email)

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

**VIA E-MAIL**

Steven C. Gray, Esq.  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1st Floor  
Harrisburg, PA 17101  
[sgray@pa.gov](mailto:sgray@pa.gov)

Richard A. Kanaskie, Esq.  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor West  
Harrisburg, PA 17120  
[rkanaskie@pa.gov](mailto:rkanaskie@pa.gov)

Barrett C. Sheridan, Esq.  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place - 5th Floor  
Harrisburg, PA 17101-1921  
[bsheridan@paoca.org](mailto:bsheridan@paoca.org)

Suzan D. Paiva, Esq.  
Verizon  
900 Race Street, 6<sup>th</sup> Floor  
Philadelphia, PA 19107  
[Suzan.d.paiva@verizon.com](mailto:Suzan.d.paiva@verizon.com)

Elizabeth R. Marx, Esq.  
Ria M. Pereira, Esq.  
John W. Sweet, Esq.  
Public Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

Scott J. Rubin, Esq.  
333 Oak Lane  
Bloomsburg, PA 17815-2036  
[Scott.j.rubin@gmail.com](mailto:Scott.j.rubin@gmail.com)

Brooks E. Harlow, Esq.  
Technology & Communications Law, PLLC  
8220 Crestwood Heights Dr., Suite 1705  
Tysons, Virginia 22102  
[bharlow@techcomm.law](mailto:bharlow@techcomm.law)

Steven J. Samara, President  
Pennsylvania Telephone Association  
30 N. 3<sup>rd</sup> Street  
Harrisburg, PA 17101  
[Steve.samara@patel.org](mailto:Steve.samara@patel.org)

*Pamela C. Polacek*

---

Pamela C. Polacek (PA ID No. 78276)

Counsel to Tri-Co Connections, LLC and  
Claverack Communications LLC

Dated this 24<sup>th</sup> day of June, 2021, in Venetia, Pennsylvania.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RULEMAKING TO COMPLY WITH THE COMPETITIVE CLASSIFICATION OF TELECOMMUNICATIONS RETAIL SERVICES UNDER 66 PA.C.S. §3016(A)	DOCKET NO. L-2018-3001391
GENERAL REVIEW OF REGULATIONS 52 PA CODE CHAPTERS 53, 63 AND 64	

**REPLY COMMENTS OF TRI-CO CONNECTIONS LLC AND CLAVERACK  
COMMUNICATIONS LLC TO NOTICE OF PROPOSED RULEMAKING ORDER**

On May 25, 2021, Tri-Co Connections LLC ("TCC") and Claverack Communications LLC ("CCL") submitted Comments regarding the Pennsylvania Public Utility Commission's ("PUC" or "Commission") proposed rulemaking to revise its regulations in Chapters 53, 63 and 64 of the Pa. Code, 52 Pa. Code Chs. 53, 63 and 64. TCC and CCL hereby submit these Reply Comments.

The Commission must render important legal and policy decisions in this rulemaking. At the state and federal levels, efforts are underway to ensure that rural consumers have access to advanced broadband networks to purchase voice and internet services. As detailed by the Verizon Companies, regulations that were adopted during the Truman and Reagan eras do not apply to the current time, which is marked by competition and innovation that drives rapid technological advances to meet consumer demands. The Commission can promote those efforts by removing most, if not all, of the legacy regulations that apply to competitive carriers.

Competitive carriers are in the business of attracting consumers away from their existing voice options, whether those options are the Incumbent Local Exchange Carrier ("ILEC") or non-PUC regulated options such as cellular carriers and over-the-top Voice Over Internet Protocol ("VOIP") services. To attract those customers, competitive carriers such as TCC and CCL have to offer quality and reasonably-priced services. To retain those customers, competitive carriers must ensure that they satisfy their customers' expectations. Customers have other alternatives and can "speak with their feet" by choosing another service provider. Treating customers reasonably and fairly is "table stakes" for competitive carriers.

TCC and CCL support the premise articulated by the Verizon Companies that the Commission should presume that all legacy regulations can be eliminated. In limited instances where the Commission can establish that the competitive market does not act to restrain carriers' behavior, the Commission may continue to apply narrowly-tailored regulations to meet a specific goal. The communications markets have matured to ensure that consumers are protected from unjust and unreasonable terms and conditions of service. The Commission should not construe TCC and CCL's targeted Comments submitted on May 25<sup>th</sup> regarding specific existing regulations as indicating that continuation of the regulation (as modified) is superior to eliminating the regulation since the competitive market can adequately constrain providers' behavior.

TCC and CCL also support comments of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania ("CAUSE-PA") regarding the desire to provide rural communities with competitive voice and broadband alternatives. TCC and CCL were formed for precisely this purpose. The Commission can advance this goal by adopting the recommendations set forth in TCC and CCL's Comments or, alternatively, the approach suggested by the Verizon Companies.

Pennsylvania is on the cusp of a new phase of telecommunications deployment and competition. TCC, CCL and other carriers are developing advanced broadband networks to bring new services and innovation to rural areas of the Commonwealth. The Commission's effort to modernize, streamline and simplify its regulations is an important part of moving Pennsylvania into the next phase of competition. TCC and CCL appreciate the opportunity to provide input and encourage the Commission to act quickly to finalize the rulemaking and adopt the changes to Chapters 53, 63 and 64 that will signal the next act of Pennsylvania's support for competitive telecommunications markets.

Respectfully submitted,

*Pamela C. Polacek*

By \_\_\_\_\_

Pamela C. Polacek (PA ID. No. 78276)  
Chief Legal and Regulatory Officer  
C&T Enterprises, Inc.  
P.O. Box 129  
Venetia, PA 15367  
Phone: (570) 724-9469; (717) 503-6531(c)  
ppolacek@ctenterprises.org

Counsel to Tri-Co Connections LLC and Claverack  
Communications LLC.

Dated: June 24, 2021