

Citynet Victorious at Public Service Commission Proceeding

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Frontier had balked at providing access to its fiber optic network, as required by the federal Telecommunications Act of 1996

A recommended decision issued by the Chief Administrative Law Judge of the Public Service Commission of West Virginia found that Frontier Communications violated its interconnection agreement with Citynet by denying access to unused portions of its fiber optic network and requiring litigation for Citynet to even review route and plate maps.

Citynet was represented by attorneys Ben Bailey and Rebecca Pomeroy of Bailey Glasser's Charleston, West Virginia, office.

The Telecommunications Act of 1996 aimed to open up competition among telecommunications providers by obligating existing carriers to open up their networks to competing carriers at wholesale rates.

But Frontier had denied several recent requests by Citynet to lease available fiber capability between Clarksburg and Philippi and between Clarksburg and Elkins. These requests were denied without little or no explanation in what Citynet believed was a violation of the interconnect agreement with Frontier.

Expanding this "middle-mile" capacity will help Citynet provide more innovative telecommunications services to its customers at a lower cost.

After a hearing on April 10, the PSC ordered Frontier to lease the requested fiber to Citynet and to provide Citynet with access to route and plate maps if future requests are denied.

In addition, Frontier was ordered to provide better training to its employees on its obligations under the interconnection agreement after the hearing made clear that employees handling requests under the agreement were not trained and were completely unaware of Frontier's obligations.

Attorneys

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Practice Areas

Business Litigation & Counseling