

PETITION OF FAIRPOINT COMMUNICATIONS, INC. FOR LIMITED WAIVER OF DEADLINE FOR
DATA SUBMISSION

Declaration of Michael T. Skrivan

1. I, Michael T. Skrivan, am Vice President, Regulatory, of FairPoint Communications, Inc., in which capacity I am responsible for state and federal regulatory policy, state and federal tariffs, regulatory cost studies, and state and federal regulatory compliance, including reporting obligations.
2. Regulatory department employees under my supervision, along with employees from other FairPoint departments, are responsible for compliance with the FCC's Special Access Data Collection.
3. FairPoint has more than 1,500 employees.
4. FairPoint filed the mandatory certification for its 24 ROR ILECs and three other subsidiaries on December 15, 2014, indicating that they are not required to provide data in response to the Special Access Data Collection because they are not covered "providers."
5. FairPoint has been diligently working on the response to the Data Collection for its other subsidiaries, and expects to meet the Commission's January 29 deadline for six of its eight price cap ILECs, but not for its two largest ILECs, Northern New England Telephone Operating Company (NNETO) (serving Maine and New Hampshire) and Telephone Operating Company of Vermont (TOCV) (serving Vermont).
6. On October 17, 2014, trade unions representing approximately 1,700 FairPoint employees in northern New England walked off the job. NNETO and TOCV in particular are directly impacted by the lack of available personnel. This strike continues to the present day.
7. Until the strike, FairPoint had ten equivalent full-time employees working on the production of data in response to the Special Access Data Collection. This included four employees in the regulatory department working full-time on the data collection, one person in the billing department devoting 50 percent to this task, one person in the revenue assurance department also devoting 50 percent to the data collection, and five employees from the metrics team working full-time on this project.
8. As a result of the strike, six of those ten full-time equivalents were reassigned to critical operational tasks supporting northern New England telephone service, such as fielding requests for operator assistance and working in dispatch (loading jobs for technicians, calling customers to schedule work, talking to technicians to provide system information, and scrubbing trouble tickets and service orders to provide technicians with information necessary for them to complete their job duties). Many management employees, including a number of managers in the

regulatory department, have worked strike duty and remain tasked to critical operations. Members of the skeletal crew remaining at FairPoint's northern New England operations have been working six days a week, twelve hours each day, to ensure that essential services such as local connectivity and 911 access remain available to all customers.

9. FairPoint employees working strike duty must have knowledge of the operating companies' geography, services, operations and systems, and must be trained to provide support to contract technicians in the field. These requirements are complex and cannot easily be handed off to temporary employees. Similarly, complying with the Special Access Data Collection requires knowledge of the companies' operations, systems, services, processes and an understanding of the FCC Special Access Data Collection. These functions cannot be outsourced.
10. A Nor'easter hit FairPoint's service territory in northern New England during the third week of October. The storm brought down utility poles and telephone lines, and interrupted service in Maine and New Hampshire.
11. An early snowstorm in the northern New England region November 3 left tens of thousands without power in Maine.
12. A snowstorm on November 27, Thanksgiving day, resulted in additional power outages and trouble reports for the contract work force in northern New England. For example, a number of generators failed at remote sites in Maine, and FairPoint personnel had to be dispatched over nearly impassable roads to replace batteries. That storm was one of the worst in New Hampshire's history in terms of power outages.
13. Another storm December 9 knocked out power to tens of thousands of locations in Vermont.
14. FairPoint facilities in Maine and Vermont experienced further damage from heavy rain, wind, snow, and ice in December and early January, which also hampered clean-up efforts in connection with earlier storms this season. Unusually cold, sub-zero temperatures in January have hampered repair and installation work across northern New England.
15. In the absence of the union workers, northern New England employees that would have otherwise assisted with the development of information for the Special Access Data Request have been reassigned to strike duties, such as emergency service restoration and other critical operational activities. All available personnel are attending to installs, repairs, and service restoration for customers in northern New England. Therefore, FairPoint's regulatory and metrics teams have been unable to work on responding to the Special Access Data Collection on the

schedule the company had planned to meet. We do not expect to complete the data collection for NNETO and TOCV, as well as two other responding companies, until April.

16. I have read the foregoing Petition of FairPoint Communications, Inc. for Limited Waiver of Deadline for Data Submission, and the facts stated therein are true and complete to the best of knowledge, information and belief.

January 9, 2015
Date

Michael T. Skrivan
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