

March 13, 2014

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: ARMIS Reporting, CC Docket No. 86-182  
Request for Extension of Time

Dear Ms. Dortch:

FairPoint Communications, Inc. ("FairPoint") hereby requests a 60-day extension of time to file its ARMIS reports as required under Part 43 of the Commission's rules.<sup>1</sup> Due to circumstances beyond FairPoint's control, it will be unable to complete the required 2013 ARMIS filings by April 1, 2014.

The Commission requires all incumbent local exchange carriers ("ILECs") to submit each April 1 certain Automated Reporting Management Information Systems ("ARMIS") reports containing specified data for the ILECs' operations during the preceding calendar year. Thus, FairPoint is required to submit the required ARMIS reports for all of its ILEC operating subsidiaries on April 1, 2014 for their 2013 operating data. Although in recent years the Commission has reduced the amount of information required in these annual reports,<sup>2</sup> FairPoint nevertheless requires a substantial number of hours to complete its mandatory ARMIS filings for its mandatory price cap ILEC subsidiaries (formerly Verizon Northern New England).

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<sup>1</sup> See 47 C.F.R. §43.21.

<sup>2</sup> See, e.g., *USTA Forbearance Order*, 28 FCC Rcd 7627 (2013) (relieving midsize carriers from filing 43-01, 43-02 and 43-03 reports); *ARMIS Financial Reporting Forbearance Order*, 23 FCC Rcd 18483 (2008) (granting AT&T, Quest and Verizon relief from filing 43-01, 43-02 and 43-03 reports, except 43-01 Table III pole/conduit data); *ARMIS Forbearance Order*, 23 FCC Rcd 13647 (2008) (granting relief from filing 43-05, 43-06, 43-07 and 43-08 reports; forborne carriers must continue to file Table III, columns FC, FD, FE, and FI of 43-08 report).

Specifically, FairPoint seeks an extension of time in which to file 2013 ARMIS data for its two study areas associated with Northern New England Telephone Operations LLC (the Maine Study area with Study Area Code 105111 and the New Hampshire study area with Study Area Code 125113) and its one study area associated with Telephone Operating Company of Vermont LLC (Study Area Code 145115). According to Kevin O'Quinn, FairPoint's Director-Regulatory Financial Reporting and Taxes, FairPoint requires an extension of 60 days in which to complete its 2013 reports.<sup>3</sup>

The FairPoint personnel who will prepare these ARMIS reports have been engaged virtually full-time for the past 13 weeks in responding to data requests in state regulatory proceedings to which FairPoint is a party.<sup>4</sup> FairPoint is engaged in a full rate review in the state of Maine, the first such case in 20 years, in which FairPoint is seeking increases in local rates and state universal service support. Intervenors in the case include representatives of other carriers as well as local ratepayers. All aspects of FairPoint's regulatory accounting and operations are being examined. Preparation of FairPoint's direct case was only the start; FairPoint has been responding to 478 data requests including 1,426 individual questions, completing this work just last Friday, March 7. FairPoint estimates that this effort has consumed roughly one thousand person-days. Although FairPoint has labored diligently to gather the necessary 2013 data to complete its ARMIS reports, it now realizes that it will not be able to complete the required data gathering and synthesis to complete its filings in a timely manner. Filing on April 1 will not be possible due to these other demands on FairPoint personnel.

The state rate proceeding described above is not one that is in the "ordinary course of business" for FairPoint, hence the extraordinary resources it requires. Moreover, FairPoint has faced numerous challenges in complying with the many rule changes and reporting requirements arising out of the Commission's *USF/ICC Transformation Order*,<sup>5</sup> which significantly altered the landscape of federal regulation for incumbent LECs such as FairPoint.

While FairPoint recognizes that extensions of time are not routinely granted, requests for extension of time to file ARMIS reports have been granted in the past.<sup>6</sup> FairPoint has filed its ARMIS reports in a timely manner in previous years. However, despite the company's diligence, circumstances beyond FairPoint's control make it impossible for FairPoint to comply

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<sup>3</sup> Declaration of Kevin O'Quinn, attached, at ¶4.

<sup>4</sup> *See id.* at ¶3.

<sup>5</sup> 26 FCC Rcd 17663 (2011).

<sup>6</sup> *See, e.g., Roseville Telephone Company, Extension of Time to file ARMIS Reports and to Submit Cost Allocation Manual Attestation Report*, ASD File No. 01-43, Order, 16 FCC Rcd 18513 (Com. Car. Bur. 2001); *CenturyTel, Inc. and CenturyTel of Washington, Inc. Request for an Extension of Time to Submit Cost Allocation Manual Attestation Reports and File ARMIS Reports*, ASD File No. 00-45, Order, 16 FCC Rcd 18511 (Com. Car. Bur. 2001); *CenturyTel, Inc. and CenturyTel of Washington, Inc. Request for an Extension of Time to Submit Cost Allocation Manual Attestation Reports and File ARMIS Reports*, ASD File No. 00-45, Order, 16 FCC Rcd 1493 (Com. Car. Bur. 2000).

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with the April 1 filing requirement this year. FairPoint believes that a 60-day extension is merited in this case.

In light of the Commission's *USF/ICC Transformation Order*, neither access charges nor universal service calculations at the federal level will be affected by the short delay in availability of the data set forth in FairPoint's 2013 ARMIS reports. Nor is FairPoint aware of any state that will be adversely affected if FairPoint's reports are filed 60 days behind schedule. Therefore, FairPoint believes that no party will be adversely affected by the grant of the requested extension of time to file FairPoint's 2013 ARMIS reports.

Accordingly, FairPoint respectfully requests that it be granted a 60-day extension of time in which to complete its 2013 ARMIS filing, until May 30, 2014. Please direct any questions concerning this matter to me.

Respectfully submitted,



Karen Brinkmann  
KAREN BRINKMANN PLLC  
*Counsel for FairPoint Communications, Inc.*

Attachment: Declaration of Kevin O'Quinn

cc: Julie Veach, Chief, Wireline Competition Bureau  
Rodger Woock, Chief, Industry Analysis & Technology Division