

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 93-C-0103 - Petition of Rochester Telephone Corporation for Approval of Proposed Restructuring Plan – Status of Frontier Telephone of Rochester, Inc.’s Open Market Plan.

CASE 93-C-0033 - Petition of Rochester Telephone Corporation for Approval of a New Multi-Year Rate Stability Agreement.

NOTICE SOLICITING COMMENTS ON JOINT  
STIPULATION AND SETTLEMENT

(Issued July 24, 2008)

In Opinion No. 00-4, Opinion and Order Establishing New Term of Open Market and Rate Plan (issued March 30, 2000), the Commission approved the extension of Frontier Telephone of Rochester, Inc.'s (FTR) Open Market Plan (OMP or Plan) with certain modifications through December 31, 2004. The OMP governs rates, service quality, competition and enhancement of customer choices throughout FTR's service area. Subsequently, the OMP expired on January 1, 2005 and no new plan was initiated nor was the existing OMP extended. However, certain permanent provisions did not expire with the Plan. Among those provisions are the dividend restrictions related to service quality, rules on affiliate transactions, cash management, capital structure and other related issues.

On April 5, 2005, FTR filed a petition with the Commission seeking termination of the remaining OMP provisions. On January 30, 2007, a Notice of Settlement conference was issued on FTR's petition and on July 23, 2008, the Joint Stipulation and Agreement was filed with the Commission. The Joint Stipulation and Agreement represents a negotiated agreement between the Consumer Protection Board, Department Staff and FTR. Among other things, it eliminates certain permanent provisions, retains or modifies other provisions that remain in the public interest and refocuses the OMP on the continued achievement of high quality telecommunication services. The Joint Stipulation and Agreement is available on our website at [http://www.dps.state.ny.us/New\\_telcomNews.html](http://www.dps.state.ny.us/New_telcomNews.html).

CASES 93-C-0103 and 93-C-0033

Anyone wishing to submit comments on this matter must do so by submitting an original and five copies of their comments to Jaclyn A. Brillling, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12203-1350 no later than the close of business on August 6, 2008. Comments may be submitted electronically to [secretary@dps.state.ny.us](mailto:secretary@dps.state.ny.us) provided hard copy service is made by the due date.

(SIGNED)

JACLYN A. BRILLING  
Secretary