

OPINION

“CONGRESS SHALL MAKE NO LAW...
ABRIDGING THE FREEDOM
OF SPEECH, OR OF THE PRESS;”

The First Amendment of the United States Constitution

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Editorial

Frontier settlement Public Utilities Commission should consider a tougher response

The Minnesota Public Utilities Commission should reconsider the decision by the Department of Commerce to let Frontier Communications avoid any civil or criminal penalties for its systematic neglect of customers in Minnesota and its violations of state law.

Back in January, the Department of Commerce released a hard-hitting report laying bare what they termed “staggering deficiencies” in Frontier’s physical plant and for its poor service and misleading billing practices.

Just seven months ago, the department’s staff appeared loaded for bear, writing: “The Minnesota legislature has provided a clear set of remedies to curb misconduct of rogue companies, ones who routinely, knowingly, disregard the law and jeopardize the lives and well-being of Minnesotans, including hefty civil penalties and criminal prosecutions.”

Seven months later, after months of mediation, it appears the department’s bark is much worse than its bite.

The stipulation agreement first reported this past week in the *Timberjay* includes no recommendation for either fines or for prosecution.

While the company does agree to take a number of positive steps to improve its service to customers, the agreement runs for only two years. After that, Frontier can apparently go back to its old ways.

The agreement, as we reported last week, does require the company to issue refunds or credits to customers in a number of cases, which is a step forward. Yet, as usual, the burden lies with the customer to document service interruptions or overbillings. We suspect that most Frontier customers will conclude it isn’t worth their time to haggle with the company over the small refunds proposed in this settlement. It will be especially frustrating to business owners, who would have to make their case to win refunds of just ten dollars per day for service interruptions, even though such interruptions can easily cost a business hundreds if not thousands of dollars a day.

Those are just some of the reasons we suspect this settlement will be a

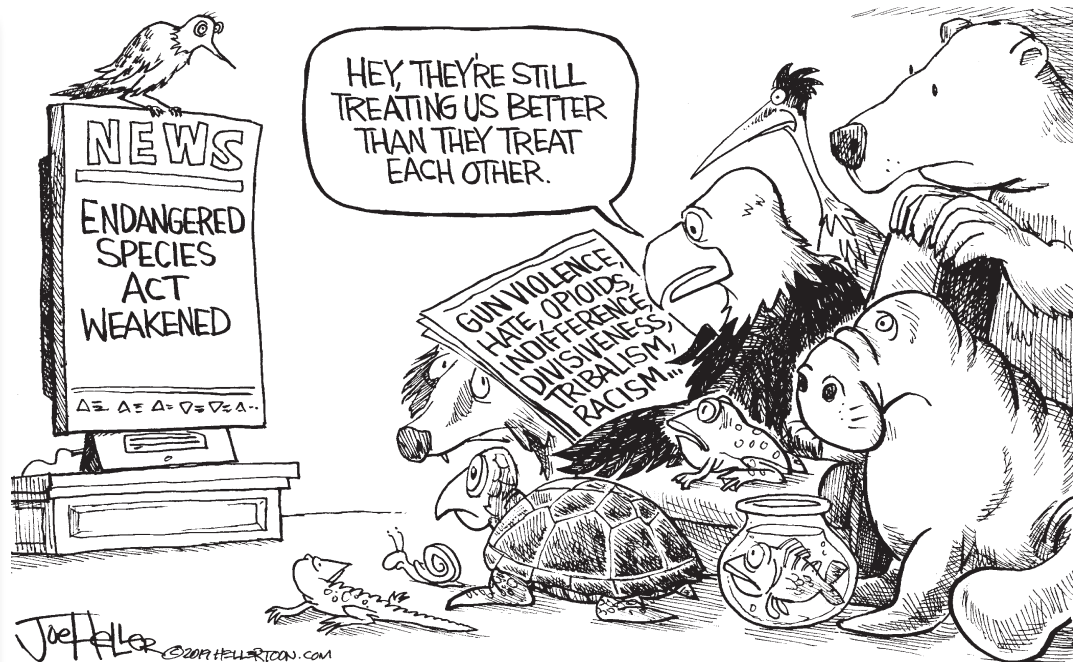
disappointment to many of the more than 1,000 Frontier customers who offered comments or horror stories to state investigators. When asked why they are recommending no fines for Frontier, officials with the Department of Commerce indicated that they wanted to “focus on obtaining tangible remedies for Minnesota consumers.”

Yet, as the department noted in its own report issued last January, the Legislature has authorized fines or prosecution as a remedy “to curb misconduct of rogue companies” that don’t comply with state law and put the well-being of Minnesotans at risk. The Commerce Department’s own report documented multiple violations of state law and rules on Frontier’s part, and the department should have utilized the legal tools at its disposal to stand up for Minnesota’s Frontier customers.

We are equally troubled that this decision could well be a case of the foxes guarding the hen house. The Administrative Law Judge (ALJ) who oversaw most of the public proceedings and issued findings in the case, is a former telecom lawyer. And one of the lead negotiators for the Department of Commerce worked under him at the same telecom, a company that did business with Frontier. In addition, the ALJ served as the mediator for this agreement, and then took the unusual step of writing a recommendation to the MPUC to approve the terms. The public would be absolutely justified in wondering if the deck wasn’t stacked in favor of Frontier.

The MPUC has an opportunity to fix it, by rejecting the proposed agreement as drafted, and giving serious consideration to some tougher remedies.

We have to note that even as Frontier was agreeing under this deal to prompt response to outages, a minor thunderstorm that passed over the Lake Vermilion area on Aug. 4 caused scattered phone outages in the area. When customers reported the interruption of service, many were told it would take more than ten days to get their phone and Internet service back. That hardly sounds like a company that’s ready to turn over a new leaf.



Letters from Readers

Managers resisting bad management, not change

Last week’s *Timberjay* carried the story of DNR’s decision to strip wildlife managers of their authority to decide how much, and where, timber is harvested on wildlife management areas (WMAs), effectively hamstringing their ability to prioritize wildlife management on WMAs.

The reason? St. Paul bureaucrats, some with little or no experience with wildlife or forest management, decided DNR’s new, unrealistically-high timber harvest quotas couldn’t be met without lumping WMAs in with traditional state forests lands, which are increasingly being pushed towards a tree-farm model more suitable for timber industry lands. Examples include discarding a policy of managing for modest amounts of old forest, and then doubling down by drastically lowering the ages at which some forest communities are harvested.

One justification cited for higher harvest quotas on state land is to compensate for declining harvests on nonindustrial private lands. However, pushing more wood onto the market will lower the price private woodland owners receive for their timber, giving them even less incentive to offer their trees for sale. In other words, DNR’s move will have the perverse effect of reducing harvests on private lands and shifting the burden to state lands, including the ill-suited WMAs – a classic blunder otherwise known as “Shooting yourself in the foot.”

In an unprecedented move, 28 DNR wildlife managers objected to the new policy, offering the spot-on objections that increasing timber harvesting on WMAs would reduce vitally important habitat for game and nongame species alike. A condescending assistant commissioner responded with the lame bromide that “we appreciate that change can be difficult for people.”

As a retired DNR forest ecologist with 27 years of experience, let me respond as

the wildlife managers would, but for the gag order slapped on them after they wrote their letter: Change isn’t a problem. Bad management is.

Steve Wilson
Tower

Don’t disregard wildlife managers

Thank you for the articles you published last week on timber sales in state-owned WMAs.

It seems strange that a timber mapping computer program would have so little in common with what boots-on-the-ground wildlife professionals observe. Many of us know that computer analyses are a direct result of the data that is used, and I wonder what kind of data is being used here.

Many people are unaware of WMAs and the important role they play in shaping the state environment. They are places to experience a different Minnesota: they’re quiet, undeveloped, and have an abundance of wildlife not evident in state parks that have many more visitors. Their importance in a time of climate change and species depletion can only increase.

It seems that DNR management hopes to use the general lack of awareness and corporate-type PR strategies to make some additional \$\$\$ on timber sales for industry. Why not work on increasing private property lumber sales, instead of attacking areas that have been carefully managed for wildlife for years?

Please keep this story on your radar and furnish updates. Plans for this cutting are going ahead, and as a citizen and taxpayer I want to know what they are doing. As a lifelong citizen, taxpayer, and user of WMAs, I don’t approve of deals happening behind closed doors, and disregarding the warnings of actual human professionals.

If they choose to go ahead with this, perhaps they should consider changing the name of these areas from “Wildlife Management Areas” to “Timber Extraction Areas.”

Thanks again,
Ann Tucker
St. Paul

Agencies should keep the public informed

Earlier in the summer I decided to do a little fishing on the Stony River near the junction of Hwys. 1 and 2, southeast of Ely. I drove from the East Range for almost an hour, only to see a sign at the intersection stating, “Prescribed Burn Area”. A state trooper monitoring traffic gave me a map and told me it was a “500-acre burn, but maybe not all at once”. The wind seemed to be at the right direction and low velocity, but after getting on the river, things changed quickly and I got really smoked off the river. The district ranger was polite and understanding after I contacted him, and he assured me they would do a better job of alerting the public just prior to any more burns.

Now, this week, I tried another fishing trip closer to home here on the Range, to the St. Louis River southeast of Hoyt Lakes. On the way on a back road, I encountered a DNR forester and contract crew doing vegetation control by spraying Garlon (trademarked) herbicide to kill deciduous trees and brush, allowing the stand to return to conifers. The DNR forester was professional and polite, advising me that on my way out I should not get out of the vehicle and keep my window up. I decided not to take any chances and canceled my fishing for the day. There was no sign at all placed at the road turnout.

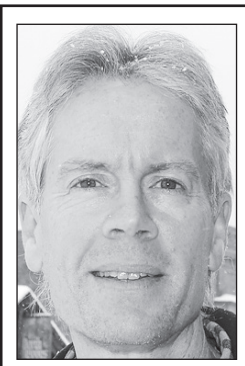
My request of natural resource agencies in the area is hopefully to not only post signs of local operations, but to use social media, radio, TV, newspapers, and local law enforcement to communicate actual times of these activities immediately prior to action. Public service announcements are still free, I think.

Also, I checked the safety data sheet of Garlon. Nasty stuff. Not to be breathed or gotten on the skin. Glad I left. I pity the poor wildlife in the area. Perhaps the DNR should consider a less toxic form of vegetation control.

Mark Roalson
Hoyt Lakes

Trump’s hype on the economy not matched by the data

To hear President Trump tell the story, the U.S. economy is booming, at least where it counts. To him, it’s really all about manufacturing—particularly heavy manufacturing—and it’s an emphasis meant to appeal to union workers in industries like



MARSHALL
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steel, oil, and mining, particularly in the Upper Midwest. Trump, who lost the popular vote by roughly 2.7 million, managed to eke out an electoral college victory thanks to extremely narrow wins in Wisconsin, Pennsylvania, and Michigan. Trump knows that if he can’t win those states in

2020, his chances of re-election dwindle significantly.

So, to him, it’s all about keeping union workers happy in these basic industries, or at least telling them that they’re happy, and better off under his trade and economic policies.

But as with most things Trump, the hype in this case falls short of the facts. By the measures that Trump himself set for success, his economic record is actually disappointing.

Take that trade gap that came

up in every Trump speech back in 2016. It was, in his telling, all the fault of “stupid” leaders who didn’t know how to negotiate a trade deal that actually worked for America. Back in 2016, under the Obama administration, the U.S. ran a trade deficit of \$502 billion. That trade gap just made America poorer, according to Trump.

As president, he promised he’d fix it. He said he’d slap tariffs on Chinese products to stem the flow of Chinese exports

into U.S. ports. And Chinese imports here have slowed by about eight percent. But U.S. exports to China have fallen 30 percent at the same time, which is why our trade deficit with China is now worse than it’s ever been. In 2018, the trade gap with China, alone, hit a whopping \$419.2 billion, according to the Commerce Department.

Trump’s tariffs are actually hurting manufacturing in the

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