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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Evaluate
Telecommunications Corporations Service
Quality Performance and Consider
Modification to Service Quality Rules.

Rulemaking 11-12-001
(Filed December 1, 2011)

**ADMINISTRATIVE LAW JUDGE'S RULING REQUIRING
TELECOMMUNICATIONS CORPORATIONS TO PROVIDE DATA**

1. Summary

This ruling requires those carriers that file General Order (GO) 133-C Service Quality reports (General Rate Case (GRC) Incumbent Local Exchange Carriers (ILEC), Uniform Regulatory Framework (URF) ILECs, and Competitive Local Carriers (CLC) with 5,000 or more customers) to provide additional information related to telecommunications service quality standards and performance. Parties shall file and serve narrative responses to the questions in Section 2 by May 31, 2012; all data and supporting documentation requested in Section 2 will be served by that date, but not filed. Parties may file comments on or analyses of those responses not later than June 15, 2012, and may attach to their comments and analyses information that may help the Commission understand the data responses. Such comments may also identify discrete parts of the served responses they consider to be most salient and/or believe should be included in the proceeding record.

2. Requested Information

The parties noted in each subsection shall provide the information requested in the following questions. Parties' narrative responses must be filed and served before close of business on May 31, 2012, with supporting data and documentation served on that same date. Treatment of privileged and confidential information is addressed in Section 3, below.

2.1. Winter 2010/2011 Storms and Associated Service Outages

AT&T California (AT&T) and Verizon California (Verizon) shall provide the following information related to service outages that took place during the 2010-2011 winter storms (Winter Storms):

1. What specific types of outside plant and other facilities, including but not limited to cable, conduit, cabinets, towers, poles, and repeaters had problems or required repair during the Winter Storms? This response shall include all types of equipment that experienced problems, and generally describe the types of problems encountered with each.
 - a. What specific locations in your service territory experienced the most equipment failures during this period?
 - b. What types of equipment experienced the most problems during this period?
 - c. What types of equipment failures or other problems were the main causes of outages during the Winter Storms?
 - d. Please provide all internal reports related to the Winter Storms, including reports analyzing or describing equipment damage and/or customer outages caused (or possibly caused) by the Winter Storms, and all reports related to storm damage repair efforts.

2. What actions have AT&T and Verizon taken since the Winter Storms to repair or upgrade facilities to protect against similar damage or service disruptions from future storms?
 - a. Please describe how these repairs or upgrades will address the causes of the 2010-2011 storm damage and reduce the likelihood of future outages of similar magnitude, scale and duration.
3. Please describe any internal plans or procedures for equipment maintenance, repair, or upgrades developed since the Winter Storms to protect against future facility damage or associated customer outages in future storms.
 - a. Along with your description, please also provide any written documentation of these plans or procedures.
 - b. Please describe how these new plans or procedures will improve service reliability by avoiding or more efficiently addressing outages and equipment failures.

2.2. GRC ILECs, URF ILECs, and Facilities-Based CLCs With 5,000 or More Customers

GRC ILECs, URF ILECs, and facilities-based CLCs with 5,000 or more customers shall provide the following information on their internal company standards and practices related to service quality:

4. What internal policies and practices does your company use to monitor and evaluate the condition of the network and identify facilities that are in need of maintenance or replacement? Please describe how your company identifies facilities that may need repair.

2.3. Carrier Internal Standards

All carriers that are required to file GO 133-C Service Quality reports shall provide information on their internal standards and business practices, as follows:

5. Please provide your company's internal standards for the time it takes to make a customer's service operational after receipt of a service order. Standards could include time targets, performance incentives, bonuses, and/or other policies or actions.
6. Please provide your company's internal standards for evaluating the performance of the network in providing quality service to customers. "Quality service" in this question refers to clear voice service without noise on the line or out-of-service conditions, without disconnects not generated by the called or calling party, and to calls that go through the first time the caller dials, for both stand-alone and bundled voice service for residential customers.
 - a. What internal standards does your company use in the normal course of business to review ongoing operations and evaluate the quality of service provided to end-user customers?
 - b. What standards does your company use to evaluate company response to trouble reports related to noise on the line and lines out-of-service? Standards could include time targets for repair, performance incentives, bonuses, and/or other policies or actions.
 - c. How, specifically, are static and noise on a line detected and monitored?
7. All carriers that are required to file GO 133-C Service Quality reports shall explain what technical platforms for services (e.g. facilities dedicated to circuit switched voice only, voice and data, stand-alone Digital Subscriber Line/Cable modem packaged with voice service, vertical features, Voice Over Internet Protocol (VoIP), etc.) for residential and/or small business customers, as defined in GO 133-C § 1.3.r., are reflected in the service quality reports filed in the last two years.

2.4. All Parties

Telephone corporations¹ that are required to file GO 133-C Service Quality reports shall, and other parties may, provide the following information on industry best practices and standards related to service quality:

8. Please identify industry practices and/or technical standards that are used to measure quality of service for operational and other industry purposes?
 - a. Specifically, how are static and noise on a line detected and monitored?
 - b. Do industry standards recommend tracking of calls that do not go through the first time the customer dials?
 - c. Do industry standards recommend tracking of calls that are disrupted or dropped?

9. How is the information contained in former Federal Communications Commission (FCC) Reports 43-05 and 43-06 relevant to GO 133-C goals?² Both the FCC and this Commission discontinued these reporting requirements as of December 31, 2011.
 - a. Should the Commission require telecommunications corporations to reinstate reporting of the information previously received through these reports?

¹ See § 234 of the Public Utilities Code.

² Report 43-05 contained installation and repair information that is similar to the Commission's trouble report and Out-of-Service standards, but contains more detail than GO 133-C reports regarding local service installation intervals, repair intervals, initial trouble reports, and repeat trouble reports, including Out-of-Service reports. The installation and repair information is disaggregated between rural and urban areas. Report 43-06 contained information on federal and state business and residential service quality complaints.

- b. What portions of those reporting requirements, if any, should be reinstated? Why?
 - c. If any portions of those reporting requirements are reinstated, how should the reported information be used?
 - d. What, if any, other reporting requirements would you recommend as efficient and succinct vehicles for the Commission to obtain information necessary to monitor service quality from a regulatory perspective?
10. How are the Commission's existing wholesale telecommunications standards relevant to GO 133-C goals?
- a. Can and should any existing wholesale performance measures, such as those related to trouble reports and out-of-service conditions, be used in evaluating retail service quality? If so, which standards?
 - b. Should any of the existing wholesale standards or associated penalty mechanisms related to service quality be adopted for retail telecommunications service?
11. Telephone corporations that are required to file GO 133-C Service Quality reports shall, and other parties may, explain their understanding, or cite to any applicable industry standards, that explain what it means to transition from circuit switched telephone service to VoIP. Specifically address the network configuration of each type of service and explain whether these technologies use common network facilities, or the extent to which (if at all) these services are offered over separate networks and/or use separate facilities.
12. GO 133-C requires that GRC ILECs, URF ILECs, and facilities-based URF Carriers with 5,000 or more customers must file Service Quality reports. We ask for input on how the definition of the types of carriers that must file Service Quality reports can be clarified. We also ask for input on a definition of the term customers as used in the context of

service quality reporting. Should this include total company customers? Or should this be limited to circuit switched residential and small business customers? Or should this be applied to some other group, or defined differently?

3. Instructions

Parties are urged to be judicious in designating any document as “confidential”, and shall be prepared to make a showing why such document meets the confidentiality standards of the Commission’s Rules, GOs, and other applicable laws and regulations. Parties are encouraged to work out confidentiality arrangements amongst themselves, as appropriate.

Any party claiming that any document or data, or any part of any document or data, is protected from production under the work product, attorney-client, trade secret, or related privilege or protection, shall provide a privilege log identifying the author of the document, the date on which it was created, all addressees or persons copied with the document, the document’s general subject matter, and the specific justification for the privilege or protection invoked. If a privilege or protection is claimed for part of a document or data set, the remaining parts of the document or data should be timely provided.

IT IS RULED that:

1. Parties shall file and serve in this proceeding narrative responses to the questions contained in Section 2, above, not later than 5:00 p.m. on May 31, 2012.
2. Parties shall serve their full responses to the questions in Section 2, above, along with all data and supporting documentation, not later than 5:00 p.m. on May 31, 2012.

3. Parties may file and serve comments on or analyses of the May 31, 2012, responses not later than 5:00 p.m. on June 15, 2012.

Dated May 18, 2012, at San Francisco, California.

 /s/ JESSICA T. HECHT
 Jessica T. Hecht
 Administrative Law Judge