Decision **PROPOSED DECISION OF COMMISSIONER CHONG**
(Mailed 4/21/2009)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion into the Service Quality Standards for All Telecommunications Carriers and Revisions to General Order 133-B.	Rulemaking 02-12-004 (Filed December 5, 2002)

DECISION ADOPTING GENERAL ORDER 133-C AND ADDRESSING OTHER TELECOMMUNICATIONS SERVICE QUALITY REPORTING REQUIREMENTS

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DECISION ADOPTING GENERAL ORDER 133-C AND ADDRESSING OTHER TELECOMMUNICATIONS SERVICE QUALITY REPORTING REQUIREMENTS

1. Summary

The Commission opened this rulemaking to review and revise the existing service quality measures and standards (collectively, "measures") [1] under General Order (GO) 133-B applicable to telecommunications carriers.[2] Specifically, the Commission undertook to determine the kind of measures that should apply to basic local exchange and other services in light of changes in regulatory policies and increased market competition. Consistent with the general agreement of the parties that the existing reporting requirements should be simplified, today's decision adopts GO 133-C[3] containing a minimum set of service quality measures. We believe continued reporting of these measures will ensure that telecommunications carriers provide relevant information to this Commission so that we may adequately protect California consumers and the public interest. The five service quality measures (and the related standards) we adopt are: (1) telephone service installation intervals (five business days); (2) installation commitments (95%); (3) customer trouble reports (six reports per

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[1] Measures are the aspects or features of service subject to evaluation and reporting. Standards are the minimum acceptable values that measures must meet to be in compliance with the Commission's requirements. Existing measures include held primary service orders, installation-line energizing commitments, trouble reports, dial tone speed, dial service, toll operator answering time, directory assistance operator answering time, trouble report service answering time, and business office answering time.

[2] By telecommunications carriers, this decision is referring to telephone corporations that are public utilities.

[3] GO 133-C is attached as Attachment 1.

100 lines); (4) out of service (OOS) repair intervals (24 hours); and (5) answer time (80% within 60 seconds related to trouble reports and billing and non-billing issues). These five reporting measures will apply to General Rate Case (GRC) incumbent local exchange carriers (ILECs),[4] since they are fully regulated as the monopoly provider in their service territories and are designated carriers of last resort (COLR) in their service territories.[5]

We will require reporting of fewer measures for Uniform Regulatory Framework (URF) ILECs[6] and competitive local exchange carriers (CLECs),[7] since these carriers operate in more competitive markets. The reporting

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[4] An ILEC is a local telephone corporation that was the exclusive certificated local telephone service provider in a franchise territory established before the Telecommunications Reform Act of 1996 and is now regulated under URF, as established in Decision (D.) 06-08-030. (See Public Utilities (Pub. Util.) Code §§ 234 and 1001.) The Commission regulates GRC ILECs through cost-of-service reviews as required by GO 96-B. These carriers are designated carriers of last resort per *Re Universal Service and Compliance with the Mandates of Assembly Bill 3643* [D.96-10-066] (1996) 68 Cal. P.U.C.2d 524, 625, which defined what is meant by basic telephone service for Universal Service funding.

[5] COLRs are required to serve upon request all customers within their designated service area. Pursuant to D.96-10-066, a carrier seeking to be a COLR needs to file a notice of intent with the Commission in order to have access to high cost fund subsidies. Once a carrier is designated as a COLR, it must obtain the Commission's approval to opt out of its obligation to serve.

[6] URF carriers have full pricing flexibility over substantially all of their rates and charges. URF carriers include ILECs regulated through the Commission's uniform regulatory framework established in *Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the Regulation of Telecommunications Utilities* ("*URF Phase 1 Decision*") [D.06-08-030] (2006) __ Cal. P.U.C.3d __, CLECs and interexchange carriers.

[7] CLECs must obtain a CPCN to provide local telephone services in competition with ILECs in the service territories where ILECs formerly were the sole certificated provider. (See Pub. Util. Code §§ 234 and 1001 and *Re Competition for Local Exchange Service* [D.95-07-054] (1995) 60 Cal. P.U.C.2d 611.)

measures we adopt for URF ILECs and for CLECs with 5,000 or more customers are: (1) customer trouble reports (six reports per 100 lines); (2) OOS repair intervals (24 hours); and (3) billing and trouble report answer time (80% within 60 seconds).

All measures except those related to answer time shall be reported quarterly. Answer time data shall be reported annually. Carriers' performance under the adopted measures may be published on the Commission's website to give consumers information about their carriers' service quality performance.

We grant an exemption from the requirement to report service quality measures under GO 133-C for certain carriers as described herein. Specifically, URF ILECs and CLECs with fewer than 5,000 customers are exempt unless the provider is a COLR.[8] Resellers, wireless and Internet protocol (IP)-enabled carriers (including Voice over Internet Protocol (VoIP) and cable) are also exempt.[9]

In addition, today's Decision adopts and formalizes the Commission's existing informal requirements for reporting major service interruptions. These requirements will apply to all certificated and registered carriers. We discontinue reporting of the Federal Communications Commission's (FCC) Merger Compliance Oversight Team (MCOT) data as outdated. However, we will continue to require carriers who file FCC Automated Reporting Management Information System (ARMIS) service quality and customer

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[8] Currently, there are no URF ILECs with fewer than 5,000 customers.

[9] A wireless carrier (a Commercial Radio Service provider at the federal level) is a carrier or licensee whose wireless network is connected to the public switched telephone network. Wireless carriers are required to register with the Commission.

satisfaction data to file California-specific ARMIS data with this Commission as specified herein.

We require wireless carriers to provide coverage maps on their websites and at retail locations and to inform customers of the availability of coverage information. We discontinue the requirement that Pacific Bell Telephone Company d/b/a AT&T California (AT&T) submit OOS repair interval data pursuant to the standard we established in D.01-12-021. AT&T is instead directed to report the OOS repair interval data that is required under GO 133-C and ARMIS.

Finally, we defer a decision on whether to require an independent Commission customer satisfaction survey pending the outcome of a federal determination of what customer satisfaction data should be obtained for all service platforms.

2. Background

In 2002, the Commission issued an Order Instituting Rulemaking (OIR) to review, revise, supplement and expand, as necessary, elements of GO 133-B and to add new measures, procedures, standards and reports to the Commission's service quality rules.[10] The OIR recognized that technological and regulatory changes compelled the Commission to focus attention on the questions of what constitutes good service quality and how that should be measured, monitored and enforced.[11] One of the goals of increased competition was to ensure high

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[10] Order Instituting Rulemaking in the Commission's Own Motion into the Service Quality Standards for All Telecommunications Carriers and Revisions to General Order 133-B, [R.02-12-004], mailed December 16, 2002.

[11] *Id.*, at p. 2.

quality service. A concern was expressed that competition might not be sufficient in all markets to foster high service quality for all consumers.[12] Another issue raised in the OIR was whether minimal service quality rules continued to be necessary with competition and an intention to apply such rules across the board to all telecommunications providers was expressed.[13] The general issues to be considered were listed in Attachment 1 to the OIR and were very broad. The exact scope of the proceeding was to be determined in one or more scoping rulings issued by the assigned Commissioner.

In March 2003, the assigned Commissioner and Administrative Law Judge (ALJ) narrowed the issues for comment to: (1) adoption of measures for specific services proposed in Exhibit A to Attachment 1 of the OIR; (2) parties' cost/benefit analyses for adoption of those measures; (3) whether publishing carriers' reported data for service quality measures is a reasonable alternative or interim step to establishing standards and measure-specific quality assurance mechanisms for some measures; and (4) whether workshops centered on implementation issues would be productive after draft rules issue.[14] The Commission received extensive comments on the four issues identified in the ruling in April and May of 2003.[15]

In August 2006, a major decision in the URF proceeding, Rulemaking (R.) 05-04-005, undertook a long overdue review of the regulatory framework

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12 *Id.*

13 *Id.* at pp. 9, 50-51.

14 Assigned Commissioner and Administrative Law Judge's Ruling Denying In Part And Granting In Part Motion To Suspend, dated March 7, 2003.

15 Parties commenting on these issues are listed in Attachment 2.

that the Commission applied to the four largest ILECs in the state, AT&T, Verizon California Inc. (Verizon), SureWest Telephone (SureWest), and Citizens Telecommunications Company of California Inc., d/b/a Frontier Communications of California (Frontier). The primary goal of the URF proceeding was to develop a uniform regulatory framework that was technologically and competitively neutral, allowing the URF companies to better respond to competitive pressures they are facing from new competitors, such as cable voice providers, wireless carriers, and VoIP providers. The *URF Phase I Decision,* [D.06-08-030], *supra,* provided the large companies with regulatory treatment that was more symmetrical with that of the firms they compete with. URF granted substantial freedoms in the way that telephone companies price their non-basic residential services, offer services (*e.g.,* in bundles of services), and enter into contracts so they can compete on a level playing field. The Commission declined to allow pricing flexibility for residential basic local exchange services at that time, and put off pricing flexibility for basic service until January 1, 2009.[16] The *URF Phase I Decision,* as modified by D.06-12-044, deferred consideration of service quality issues, including service quality monitoring reports, to this proceeding.[17]

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16 *URF Phase 1 Decision, supra,* [D.06-08-030], at p. 154 (slip op.).

17 *Order Modifying and Granting Limited Rehearing of D.06-08-030 and Denying Rehearing in all Other Respects* [D.06-12-044] (2006)__ Cal.P.U.C.3d __, at p. 41 (slip op.) modifying D.06-08-030, at p. 78 [Conclusion of Law Number 52] (slip op.). Similarly, in connection with investigations regarding Cingular, Pacific Bell, and Verizon, the Commission concluded this proceeding was the proper forum to consider revisions to any service quality requirements. (See *In re Cingular* [D.04-09-062] (2004)__ Cal.P.U.C.3d __, at p. 5 (slip op.); and *In re Pacific Bell and Verizon California* [D.03-10-088] (2003) __ Cal.P.U.C.3d __, at p. 14 (slip op.). Finally, in connection with a complaint regarding AT&T's out of

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In March 2007, an Assigned Commissioner's Ruling and Scoping Memo updated the scope of the proceeding in light of the fact that the proceeding record was almost four years old, and the new assigned Commissioner sought a refreshed record which reflected the competitive and regulatory changes related to the *URF Phase I Decision* as well as the fact that competition among wireline, wireless and VoIP had been advancing in the California telecommunications market at a rapid pace during that era.[18] Additional comments were requested on: (1) whether the Commission should require and publish annual customer satisfaction surveys for telecommunications services; (2) whether the Commission should continue to monitor service quality under URF; (3) whether the Commission should monitor major service quality interruptions or California-specific downtime under Automated Reporting Management Information System (ARMIS); and (4) whether the Commission should continue existing company-specific or California-specific measures and/or reports.[19]

In particular, the assigned Commissioner noted that the 2003 comments had lent support to adopting fewer service quality measures than proposed in the March 2003 ruling, to limiting service quality measures to basic local exchange access line service, and to publishing carriers' service quality data.

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service repair interval penalty mechanism, the Commission again noted any revisions to company specific service quality measures were the subject of this proceeding. (See *The Office of Ratepayer Advocates v. Pacific Bell Telephone Company* [D.07-04-019] (2007)__ Cal.P.U.C.3d __.

18 Assigned Commissioner's Ruling and Scoping Memo, dated March 30, 2007 (2007 ACR), including a revised Exhibit A with Sources. The proposed service quality measures contained in the OIR and revised Exhibit A are included in this decision as Attachment 3.

19 2007 ACR, at pp. 6-7.

However, because the comments were filed prior to the release of the *URF Phase I Decision*, new comments would be useful to consider a new approach and particularly, symmetric regulation among the classes of communications service providers regulated under URF and their competitors, which include CLECs, wireless service providers, and VoIP providers.[20]

Parties submitted opening and reply comments on May 14 and June 15, 2007, respectively.[21]

3. Issues Before the Commission

The following issues are now before the Commission for determination:

- Should the Commission require annual customer satisfaction surveys for all wireline and wireless services?[22]

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[20] *Id.* at pp. 3-4, noting D.06-08-030, *supra,* as modified by D.06-12-044, *supra,* at n. 34 (slip op.).

[21] Comments were filed by AT&T; Calaveras Telephone Company; Cal-Ore Telephone Co., Ducor Telephone Company, Global Valley Networks, Inc., Foresthill Telephone Co., Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Company; Pinnacles Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, The Volcano Telephone Company, and Winterhaven Telephone Company (Small LECs); the California Association of Competitive Telecommunications Companies (CALTEL); Cbeyond Communications, LLC (Cbeyond); Frontier; CTIA-The Wireless Association (CTIA); Disability Rights Advocates (DisabRA); the Division of Ratepayer Advocates (DRA); Sprint Communications Company, L.P., Sprint Telephone PCS, L.P., Sprint Spectrum L.P. as agent for Wireless Co., L.P. d/b/a Sprint PCS, Nextel of California, Inc., Omnipoint Communications, Inc., d/b/a T-Mobile (T-Mobile), XO Communications Services, Inc., Astound Broadband, LLC, Time Warner Cable Information Services (California), LLC, and Time Warner Telecom of California, L.P. (Joint Parties); SureWest; The United States Department of Defense and All Other Federal Executive Agencies (DOD/FEA); The Utility Reform Network (TURN); Verizon California Inc. and its certificated California affiliates (Verizon); Verizon Wireless; and the VON Coalition (VON). DisabRA filed a motion to intervene on May 14, 2007 to permit it to file reply comments. No party objected to DisabRA's motion and it is granted.

- Should the Commission require URF service quality monitoring of existing California-specific ARMIS and FCC MCOT measures?[23]
- Should the Commission monitor major service quality interruptions or California-specific downtime under ARMIS and should all LECs report service quality interruptions in the same manner?
- Should the Commission continue existing company-specific or California-specific measures and/or reports?[24]

Other issues included in this proceeding are: (1) whether the Commission should require wireless carriers to provide coverage maps; (2) whether AT&T's initial and repeat OOS repair interval penalty mechanism should continue; (3) whether billing call answer time should be included as a measure; and (4) whether there should be a distinction between primary and additional lines.

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[22] Specific to this issue, the 2007 ACR asked: "If so, should the surveys focus on installation, repair and answering time or are there other relevant metrics that should be included? Should the surveys follow the ARMIS format for wireline carriers or should surveys be developed for wireline and wireless carriers? If surveys are developed, what questions should be included? Should the requirement to complete customer satisfaction surveys have a threshold determined by access lines and/or active numbers? How should the surveys be conducted? How should carriers transmit data to Commission staff for publishing on the Commission's website?" (2007 ACR, at p. 6.)

[23] Specific to this issue the 2007 ACR asked: "Should non-URF ILECs have the same reporting requirement? Should CLECs have the same reporting requirement? Should the Commission continue to monitor service quality under the MCOT requirements? " (2007 ACR, at p. 7.)

[24] Specific to this issue the 2007 ACR asked: "Should whether the measures or reports provide consumers or the Commission with relevant information on the performance of a carrier govern whether measures and/or reports should be continued or eliminated?" (2007 ACR, at p. 7.)

4. Discussion and Analysis

The Commission has a statutory duty to ensure that telephone corporations provide customer service that includes reasonable statewide service quality standards, including, but not limited to, standards regarding network technical quality, customer service, installation, repair, and billing.[25] (*See e.g.*, Pub. Util. Code §§ 709, 2896 and 2897.) The current GO 133-B implements this requirement through reporting of failure to meet standards associated with service quality measures (exception reporting).

The Commission initiated this rulemaking because it concluded the existing measures needed revision given new vigorous competition for URF ILECs due to changes in federal and state telecommunications law. The OIR noted existing measures deserve review because they are both technologically outdated and inconsistently reported by carriers. Further, as stated in the 2007 ACR, state policy establishes that service quality regulation should aim to: (1) rely on competition, wherever possible, to promote broad consumer interests;

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[25] A telephone corporation, as defined under Pub. Util. Code § 234(a), includes every corporation or person owning, controlling, operating, or managing any telephone line for compensation within this state. A telephone corporation, for purposes of applying service quality standards under the Commission's general orders, includes every certificated or registered carrier. In deference to the Federal Communications Commission's (FCC) pending rulemaking regarding VoIP and other IP-enabled services, this Commission has not adopted any final decision regarding the regulatory treatment of these services. (See *Order Instituting Investigation on the Commission's Own Motion to Determine the Extent to Which the Public Utility Telephone Service Known as Voice over Internet Protocol Should be Exempted from Regulatory Requirements* [D.06-06-010] (2006) __Cal.P.U.C.3d __, at p. 3 (slip op.).) Should the FCC define the role of state commissions over VoIP, the Commission will determine the applicability of its service quality standards at that time.

and (2) promote development of a wide variety of new technologies and services in a competitive and technologically neutral manner.[26]

This decision examines whether customer satisfaction surveys, revised measures, and/or service quality monitoring best fulfill these policies, as well as our obligation to ensure carriers provide reasonable statewide service quality standards. This decision also examines whether MSI reporting should mirror the FCC's reporting guidelines or continue under the Commission's reporting requirements.

4.1. Customer Satisfaction Surveys

We first address whether the Commission should conduct annual customer satisfaction surveys for all wireline and wireless carrier services. Customer satisfaction surveys would review performance of a broader range of carriers than the ILEC (wireline) carriers that currently report under GO 133-B. As noted in the 2007 ACR, publishing customer survey results is not intended to trigger investigations or penalties. However, surveys may be a tool to promote customer education regarding indicators such as installations, repairs and answer time. They may also assist customers in choosing or changing carriers.[27] The 2007 ACR also raised issues regarding the content and format of surveys and who would be responsible to conduct and pay for them.

4.1.1. Existing Surveys

The commenting parties have generally established that numerous customer satisfaction surveys already exist for the wireless industry, raising a

[26] 2007 ACR, at p. 3.

[27] 2007 ACR, at p. 4.

threshold issue of whether a Commission-required survey would be unnecessary and redundant. Wireless surveys include J.D. Power and Associates,[28] Consumer Reports,[29] PC Magazine's Readers' Choice,[30] Consumers' Checkbook,[31] mindWireless,[32] Mountain Wireless,[33] the FCC,[34] and the Better Business Bureau.[35]

There are fewer surveys applicable to wireline carriers. Wireline surveys include J.D. Power and Associates (business), Consumer Reports, and American Consumer Satisfaction Index. The FCC also requires customer satisfaction surveys per ARMIS Report 43-06.[36] However, not all carriers are required to file ARMIS data and the FCC recently sought comment on whether service quality and customer satisfaction reporting should continue, what specific information should be collected, and whether industry-wide reporting should be required.[37]

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28 See http://www.jdpower.com/telecom/ratings/wireless/index.asp

29 See http://www.consumerreports.org. A subscription required to access this information.

30 See http://www.pcmag.com.

31 See http://www.checkbook.org/. A subscription is required to access this information.

32 See http://www.mindwireless.com/index.

33 See http://www.mountainwireless.com/.

34 See http://www.hraunfoss.fcc.gov/edocs.

35 See http://www.bbb.org/about/stat2006/us06indusort.pdf.

36 The FCC's ARMIS customer satisfaction surveys are conducted by reporting carriers and not by FCC staff or independent third parties.

37 *See* Memorandum Opinion and Order and Notice of Proposed Rulemaking, *In the Matter of Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering, et al.*, WC Docket No. 08-190 *et al.*, ¶¶ 12, 35, released September 6, 2008 (*FCC's Service Quality Opinion*). The FCC tentatively concluded that ARMIS customer

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Finally, some carriers also conduct internal surveys that they have found focus on customers' concerns. For example, Verizon uses an outside market research firm to survey customers on an almost daily basis. Verizon gets detailed information about provisioning (including installation of new service), repair (diagnosis, repair, and restoration of existing service), and request and inquiry (contacts to the business office regarding customer bills, products and services, prices, and company policies). These surveys show what is important to Verizon's customers and the priority placed on key attributes.[38]

Notably, these priorities do not necessarily correspond with the service attributes the Commission historically has measured in its current rules. Verizon has found that customers value a quick response to their requests, a job done right the first time, and maintaining close communications with them. Verizon reports it continuously reminds its employees of these priorities. This type of higher level survey is quite different from traditional Commission surveys that focus on service quality standards using more dated metrics such as installation, repair, and answer time. We do see merit to the argument that the type of higher level survey information referenced by Verizon may more accurately reflect issues that are of importance to modern day customers.

4.1.2. Parties' Positions on Commission-Required Surveys

Overall, the parties are somewhat split on whether the Commission should require customer satisfaction surveys. Clearly in support of such a requirement are DRA and TURN. DRA argues surveys are useful because competitive

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satisfaction reporting should continue for at least 24 months from the effective date of its order.

[38] Verizon 2007 Comments, Hernandez Declaration, Exhibit A, at p. 4.

markets thrive with increased information to customers. In DRA's view, existing surveys are insufficient, because only AT&T, Verizon and Contel report ARMIS customer satisfaction surveys. Further, DRA argues that the need for customers to have sufficient information is consistent with the Commission's *URF Phase I Decision* and Pub. Util. Code § 709.[39]

TURN generally supports surveys, but argues that surveys alone provide insufficient information to allow consumers to make optimal choices. Further, TURN recognizes that surveys have certain disadvantages, in that external events may influence customer opinion and satisfaction, and results may vary absent uniformity of questions and format for all surveys.[40]

DOD/FEA supports continued Commission monitoring of performance of all California LECs, including reporting of California-specific ARMIS customer satisfaction surveys. DOD/FEA asserts that the FCC's ARMIS 2006 customer satisfaction surveys for AT&T and Verizon's California customers show a significant level of dissatisfaction with installation, repair, or business office contacts.[41]

DisabRA supports customer satisfaction surveys as one service quality requirement and recommends that surveys include some questions specific to the provision of services to the disability community. DisabRA notes that

[39] DRA 2007 Reply Comments, at p. 6 citing to D.06-08-030, *supra,* at pp. 32, 179 (slip op.).

[40] TURN 2007 Comments, at pp. 16-17.

[41] DOD/FEA's 2007 Reply Comments, at pp. 5-9, 12.

surveys may need to specifically target populations such as customers with disabilities since such groups are not likely to otherwise be included.[42]

Other parties support customer satisfaction surveys, but only for monitoring purposes and if any other GO 133-B or service quality reporting is eliminated.[43] For example, AT&T states that existing third-party customer satisfaction surveys are adequate to provide the Commission with information on customers' experience and would facilitate competition by addressing the need to have information regarding all providers that is comparable, accurate and reliable. Unlike service quality measures and standards, surveys can adapt quickly to changes occurring in the telecommunications market.[44] However, AT&T suggests that should the Commission determine to use surveys to assess service quality, it should conduct workshops to develop the exact nature and format of information that would be included.[45]

The remaining parties do not support customer satisfaction surveys. The Small LECs assert their service quality is excellent, and is already examined for most GRC ILECs through the rate case process. Further, as they already are subject to GO 133-B reporting, customer satisfaction surveys would be an unnecessary additional expense that is unlikely to yield any benefit.[46]

The Joint Parties argue additional surveys are neither necessary nor advisable, since numerous surveys currently exist and the competitive market

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[42] DisabRA's 2007 Comments, at pp. 4, 6.

[43] AT&T 2007 Comments, at pp. 7-9; Frontier 2007 Comments, at pp. 3-4.

[44] AT&T 2007 Comments, at pp. 8-9.

[45] *Id*. at p. 8.

[46] Small LECs 2007 Comments, at p. 3.

dictates that they provide high service quality.[47] Additionally, the Joint Parties point out that indicators such as installation or repair time are not meaningful for wireless services since wireless capability is activated rather than installed, and wireless carriers do not dispatch technicians to repair wireless.[48]

Cbeyond argues that customer satisfaction surveys are not necessary for business customers, because there is sufficient competition in the business market and CLECs lack sufficient resources to conduct surveys and deploy new services and facilities.[49]

CTIA and Verizon Wireless echo the Joint Parties' position that customer satisfaction surveys are not meaningful for wireless carrier services, particularly given the range of existing surveys in the wireless industry.[50] CTIA also argues that Commission-sponsored surveys could distort the competitive market by giving the appearance that the Commission is endorsing the services of a specific carrier.[51] Finally, T-Mobile asserts that nothing suggests a Commission-sponsored survey would provide any additional material benefit to consumers.[52]

4.1.3. Discussion

We generally agree that Commission-required surveys could have the advantage of being a tool that applies to all aspects of intermodal voice competition. Unlike standards that cannot be applied to all types of carriers

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[47] Joint Parties 2007 Comments, at pp. 4-5.

[48] *Id. at p. 6.*

[49] Cbeyond 2007 Comments, at pp. 1-4.

[50] CTIA 2007 Comments, at pp. 2-7; Verizon 2007 Comments, at pp. 3-4.

[51] CTIA 2007 Comments, at p. 2.

[52] T-Mobile 2007 Reply Comments, at p. 6.

either due to differences in services (wireline versus wireless), or jurisdictional concerns (telephone corporations vs. wireless carriers vs. VoIP services), customer satisfaction surveys could reach both wireless and wireline customers served by any technology. We agree that customers and the market benefit from the availability of such information.

However, two factors lead us to conclude it is premature to adopt an independent Commission customer satisfaction survey as a component of service quality regulation under GO 133-C. One, the record reflects there are already many existing surveys which cover a range of issues and questions. An independent Commission survey would only be a valuable tool if it provides customers with new information that does not merely mirror other existing surveys. We do not believe the current record contains any specific proposal regarding what set of customer satisfaction attributes, and format, would be uniformly meaningful as an indicator of customer priorities across all carrier types (e.g., wireline, wireless, small carriers and large carriers).

Two, we believe we can benefit from information and evaluation that will come out of the FCC's pending rulemaking on customer satisfaction survey issues. The *FCC Service Quality Opinion* noted that service quality and customer satisfaction data could help consumers make informed choices in a competitive market but only if available from the entire relevant industry.[53] The Commission's goals are consistent with this viewpoint. To avoid redundancy, the results of the FCC's inquiry should be a starting point for any Commission adopted customer satisfaction survey. If the Commission ultimately undertakes

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[53] *FCC Service Quality Opinion*, *supra* at ¶ 35.

to adopt its own service quality survey, the FCC's determination regarding what information and attributes most accurately reflect customer priorities across all service platforms would be an appropriate starting point.

Pending the FCC's decision on this issue, we require carriers that currently file ARMIS Report 43-06 with the FCC (AT&T and Verizon) to also furnish the California-specific data to this Commission's Director of the Communications Division at the same time. It is our understanding that customer satisfaction data will continue to be reported to the FCC at least until September 6, 2010.[54] If the FCC determines to continue Report 43-06 or modifies the required customer satisfaction data and/or the classes of carriers required to report, carriers should report California-specific data to this Commission accordingly. Should the FCC cease requiring customer satisfaction data, carriers should continue reporting California-specific Report 43-06 data to this Commission through December 31, 2011. If parties believe California-specific reporting should continue beyond that date, they should file a petition for rulemaking under Rule 6.3 of the Commission's Rules of Practice and Procedure with this Commission to seek consideration of whether an independent Commission survey should be required.

4.2. Service Quality Measures

As previously noted, the Commission's current service quality measures are embodied in GO 133-B. The GO requires all telephone utilities providing service in California to report on nine (9) measures.[55] Realizing that at least some

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[54] *Id.*

[55] The service measures under GO 133-B are: held primary service orders; installation-line energizing commitments; customer trouble reports; dial tone speed; dial service;

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of these traditional measures were becoming increasingly irrelevant and out of date due to changes in the competitive telecommunications market, the Commission opened this rulemaking to revise GO 133-B in a manner that would reflect current technological and business conditions. In particular, the 2007 ACR acknowledged that current service quality requirements are not technologically neutral and responsive to the competitive intermodal market.

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toll operator answering time; directory assistance operator answering time; trouble report service answering time; and business office answering time.

In view of the fact that the existing service quality measures were adopted in the era of a monopoly landline phone system, all parties generally agree that some changes to the existing measures are warranted. The recommendations ranged from eliminating GO 133-B in its entirety, to revising it to reflect a smaller and more contemporary set of measures. There was also general agreement that a one-size fits all approach does not make sense in view of the effect that different services, competitive conditions, and technologies may have on a consumer's view of service quality priorities.

It is undisputed that service quality measures and standards should apply to GRC ILECs and the GRC ILECs themselves recommend no changes to the current GO 133-B reporting requirements. URF ILECs and CLECs oppose being subject to service quality reporting. Consumer groups support revised standards for GRC ILECs, URF ILECs and CLECs.

TURN and DRA support revised service quality measures, as both legally required and necessary to monitor service quality for health and safety purposes. TURN and DRA propose measures for wireline carriers that largely are based on ARMIS reporting requirements per ARMIS Report 43-05 and not the current GO 133-B measures. They propose positive reporting of service quality measures at regular intervals rather than the current practice, exception reporting when carriers have not met existing standards. Other consumer groups and businesses also support streamlined measures.

Consistent with our stated statutory obligations, the record before us, and the intent of this OIR, we adopt GO 133-C, which revises and replaces GO 133-B with a minimum set of five service quality measures for carriers that provide basic local exchange service. The five measures will apply to GRC ILECs. In light of the competitive intermodal market, we will apply a somewhat reduced set of measures to URF ILECs and CLECs that have more than 5,000 customers. These measures reflect our established policy of supporting reduced reporting requirements for competitive carriers.

In view of our current deference to the FCC's pending rulemaking regarding rules applicable to VoIP and IP-enabled services, we decline to impose service quality measures and standards on IP-enabled and VoIP providers (including cable). As discussed below, we also exempt resellers, wireless carriers, and small ILECs and CLECs with fewer than 5,000 customers.

Finally, we direct Commission staff to prepare a format for reporting service quality measures that will ensure consistency. Staff shall seek carrier input and if necessary, schedule an implementation workshop to achieve that goal. Workshops, as needed, will address the details of reporting requirements and provide a constructive forum to address specific carrier concerns with reporting under the adopted service quality measures and standards.

4.2.1. Consumer Groups and Businesses Support Minimum Service Quality Measures

Both DRA and TURN propose a minimum set of service quality measures for wireline carriers.[56] The measures DRA proposes would apply to carriers with over 5,000 customers,[57] and would be reported on a positive basis each quarter. DRA's specific proposed measures are: operator service (reduces the GO 133-B answer time to one measure); time to reach a live operator (new);[58] trouble

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56 In 2003, both AT&T and Verizon endorsed minimum standards comparable to the standards adopted in this decision. AT&T and Verizon no longer support minimum standards for URF carriers.

57 DRA 2007 Comments, at p. 21; DRA 2007 Reply Comments, at p. 11.

58 The standard would be 80% in 20 seconds.

reports per 100 lines (existing GO 133-B);[59] installation commitments met (ARMIS);[60] installation intervals (ARMIS);[61] initial OOS repair intervals (ARMIS);[62] repeat out of service as a percentage of initial OOS reports (ARMIS).[63]

DRA asserts these minimum measures should be adopted as essential for consumer protection and public health and safety.[64] DRA contends the proposed installation and repair measures are necessary to ensure California's telecommunications infrastructure is consistent with the national standards found in ARMIS.[65] DRA argues a sound infrastructure is necessary for California's economy, and California service providers should, at a minimum, perform as well as the telecommunications industry nationwide.[66] Further, DRA argues that repair standards are critical, because a customer who needs repair service does not have a competitive option. Nonetheless, DRA agrees measures should be streamlined from the 24-repair measures found in ARMIS.[67] DRA's proposed standards are based on a proxy for industry standards using historical data from 1996-2006. DRA averaged the performance of URF ILECs and GRC ILECs and the reference group of large ILECs the Commission used to compare

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59 The standard would be six per 100 lines with no differentiation between initial and repeat.

60 The proposed standard is 95%.

61 The proposed standard is five days for basic service orders only.

62 The proposed standard is 25 hours.

63 The proposed standard is 17%.

64 DRA 2007 Comments, at pp. 2-3.

65 *Id.* at pp. 18-19.

66 *See* D.03-10-088.

67 DRA 2007 Comments, at p. 13.

the performance of AT&T and Verizon in D.03-10-088, *supra*. These averages were the basis of DRA's proposed standards for installation, maintenance and answer time.[68]

TURN proposes four indicators for wireline carriers:[69] average installation interval (per ARMIS standard);[70] average out of service repair interval (per ARMIS standard);[71] average wait time to speak with a live agent;[72] and Commission complaints per million customers.[73] In addition, TURN recommends the Commission monitor percent of calls receiving busy signal and percent of calls abandoned.[74] TURN recommends these measures be applied to all wireline carriers, including VoIP.[75]

In support of its proposed measures, TURN states that minimum service quality measures and information allowing comparisons between how various providers have fared in meeting such measures is a critical element in promoting

[68] DRA Reply Comments, at p. 10.

[69] TURN 2007 Comments, at p. 11.

[70] The proposed standard is maximum three days for basic service orders only.

[71] The proposed standard is maximum 36 hours with no differentiation between initial or repeat.

[72] The proposed standard is 60 seconds. TURN acknowledges that many issues can now be resolved by a customer's choice of menu options. However, more complex problems require a representative. (TURN 2007 Comments, at p. 9.)

[73] TURN argues that while the level of actual complaints does not represent the true level of problems, this data presents real issues that customers face. (TURN 2007 Comments, at p. 10.)

[74] TURN 2007 Comments, at p. 11.

[75] TURN 2007 Comments, at pp. 7-11.

consumer choice.[76] TURN notes that AT&T's own expert Harris stated in 2003 that minimum service quality measures ensure that customers will have a baseline level of quality, reducing the information needed to make buying decisions.[77]

A number of other parties also endorse minimum measures and point out that many states already have adopted minimum service quality measures applicable to incumbent and competitive carriers. For example, AARP noted that Ohio, Vermont, and Michigan have adopted minimum measures consistent with the Commission's OIR proposal and that Washington, Oregon, Colorado, Illinois, Pennsylvania, Texas, and Florida have adopted generic service quality measures that focus on local exchange carriers.[78]

Allegiance provided more detail regarding those states' adopted minimum measures and also noted that Georgia and New York have adopted minimum measures.[79] Ohio's, Vermont's, Oregon's, Illinois' and New York's rules apply to ILECs and CLECs. Florida's and Georgia's rules exclude CLECs. The other states' rules apply to telecommunications carriers, generally.

DisabRA supports adoption of either the DRA or TURN proposals.[80] DOD/FEA recommends ARMIS reports be filed by carriers that currently provide that information to the FCC, that all ILECs continue to report under

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[76] *Id.* at p. 5.

[77] TURN Reply Comments at pp. 5-6, citing AT&T 2003 Comments, Appendix 3, at p. 20.

[78] AARP 2003 Comments, at p. 6.

[79] Allegiance 2003 Comments, at pp. 8-13.

[80] DisabRA 2007 Comments, at pp. 1-2.

GO 133-B, and that CLECs report under GO 133-B or provide in the alternative, customer satisfaction and service quality data consistent with ARMIS Reports 43-05 and 43-06.[81]

NCLC supports minimum service quality measures covering installation, trouble reports, and answer time in order to assist consumers in obtaining the most valuable information.[82] The California Small Business Roundtable and California Small Business Association (CSBR/CSBA) stated that the issues most important to small business were how quickly carriers met service orders, responded to trouble reports, cleared outages and answered calls with a live person.[83]

4.2.2. Carriers' Positions on Service Quality Measures

AT&T and Verizon (i.e., the URF ILECs) oppose the DRA and TURN proposals, arguing that no evidence indicates the suggested measures are necessary for public health and safety, or are of particular concern to customers. For example, AT&T notes that 19 states do not regulate answer times. Further, AT&T argues there is no evidence or cost/benefit analysis to support the specific metrics TURN and DRA propose. AT&T estimates it would incur substantial costs to comply with the proposed answer time measure.[84]

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[81] DOD/FEA 2007 Comments, at pp. 12-13.

[82] NCLC 2003 Comments, at p. 18.

[83] CSBR/CSBA 2003 Comments, at p. 3. In addition, CSBR/CSBA asserted small businesses value carriers' prompt correction of billing problems and keeping promises. *Id.*

[84] AT&T 2007 Reply Comments, at pp. 13 n.60, 15, 16, 17.

AT&T and Verizon contend that all service quality measures and reporting requirements should be eliminated. They assert that in view of the development of competitive markets and the Commission's policy direction in URF, continued reporting to the Commission is unnecessary because competition is sufficient to protect consumers' interests.[85] Verizon adds that service quality measures are outdated, are not competitively and technologically neutral, and in its view distort the incentives competition already provides for achieving adequate service quality. Verizon suggests the Commission should rely on major service outage reporting and ARMIS data.[86]

AT&T mirrors these arguments, commenting specifically that service quality measurements are outmoded, do not provide information for consumers to select among carriers, and impose costs on the affected carriers, which are not borne by other providers. AT&T notes that both GO 133-B and the FCC's MCOT reporting are outdated and are neither competitively nor technically neutral.[87] In AT&T's view, the Commission should rely solely on customer satisfaction surveys.[88]

SureWest argues that applying service quality obligations on regulated carriers distorts the competitive intermodal market. In SureWest's view, the costs of imposing reporting requirements outweigh the benefits.[89]

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[85] Verizon 2007 Comments, at pp 1-3; AT&T 2007 Comments, at pp. 1-4.

[86] Verizon 2007 Comments, at p. 2.

[87] AT&T 2007 Comments, at pp. 2, 11-15.

[88] AT&T 2007 Comments, at p. 2.

[89] SureWest 2007 Comments, at pp. 1-4.

Frontier states GO 133-B requirements are duplicative, unnecessary and should be eliminated. Frontier would replace GO 133-B with federal and state MSI reports and third-party customer satisfaction surveys.[90]

The CLECs oppose continued GO 133-B reporting on the ground that their services are competitive and so obviate the need to continue GO 133-B reports.[91] They argue that the cost of compliance with GO 133-B or the DRA and TURN proposals would be prohibitive. CALTEL argues that CLECs predominantly serve medium to large business customers and must provide high quality service.[92] CALTEL argues that reporting requirements would increase operational costs for competitive carriers without justification, even with the small carrier exemption proposed by DRA.[93] Cbeyond elaborates on these concerns, stating that service quality measures are unnecessary for CLECs serving business customers because those customers have more competitive options, have access to greater resources, possess more technical expertise, and have greater bargaining power to resolve service quality disputes.[94]

VON argues that the Commission lacks jurisdiction over VoIP and should continue to defer to resolution of this issue in the pending FCC rulemaking to consider the regulatory treatment for VoIP and IP-enabled services.[95]

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[90] Frontier 2007 Comments, at pp. 1-6.

[91] Joint Parties 2007 Comments, at p. 9.

[92] CALTEL 2007 Reply Comments, at pp. 4-5.

[93] CALTEL 2007 Reply Comments, at pp. 5-6.

[94] Cbeyond 2007 Comments, at pp. 1-3.

[95] VON 2007 Reply Comments, at p. 4.

The Small LECs (i.e., GRC ILECs) are willing to continue reporting under the current GO 133-B.[96] They assert the data submitted in 2003 illustrated their excellent service to their customers and that nothing has changed since that time.[97] They argue that additional reporting would be expensive and unjustified, since GRC ILECs consistently have not had service quality problems, and continue to be subject to rate base regulation which affords the Commission opportunity to review their service.[98] Accordingly, the Small LECs oppose the DRA and TURN proposals and request an exemption from any new reporting requirements.[99] They assert DRA's rationale for exempting small carriers that are not COLRs from new service quality standards applies to all small carriers. Cost and efficiency should influence the amount of service quality measurement and reporting required of smaller carriers.[100]

4.2.3. Discussion

As we have previously stated, the Commission has a statutory duty to ensure customers receive adequate service quality pursuant to Pub. Util. Code §§ 709, 2896 and 2897. We agree with the general consensus of the parties that certain aspects of GO 133-B are outdated and no longer reflect today's competitive markets and the Commission's regulatory policies consistent with URF. We also agree that ARMIS reporting could in some instances be a sufficient replacement for at least some aspects of our current reporting requirements.

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96 Small LECs 2007 Comments, at pp. 1-3.

97 *Id.*

98 *Id.*

99 *Id.* and Small LEC 2007 Reply Comments, at p. 3.

100 *Id.* at pp. 3-4.

However, ARMIS data alone may not be enough, and the status of continued ARMIS reporting remains uncertain. If we were to rely solely on ARMIS data and the FCC were to eliminate ARMIS service quality reporting per ARMIS Report 43-05, it could compromise our ability to meet our statutory obligations to California customers.

We concur with DRA and TURN that minimum service quality measures and corresponding standards should be adopted to replace the existing GO 133-B measures. Although we do not adopt either proposal in its entirety, we will eliminate outdated components of GO 133-B, modify others, and rely on ARMIS measures and standards, where possible. We do not agree with the Small LECs' argument that GO 133-B measures should remain unchanged because the Commission has not found their particular service quality to be inadequate. Adopting requirements based on the performance of any one group of carriers is not a practical or reasonable solution. As the parties have demonstrated, our existing service quality measures and standards lag behind current market realities as well as recently adopted minimum measures in force in other states. Our measures need to be revised. At the same time, we agree with the parties that while our requirements should strive to be competitively and technologically neutral, it is not practical to fashion identical service quality measures for all classes of carriers.

Today, we adopt GO 133-C to replace GO 133-B. GO 133-C does not contain outdated and inadequate service quality indicators that parties have recommended we eliminate. Measures that have been eliminated are: held primary service orders; installation-line energizing commitments; dial tone speed; and dial service. Answer time measures have been combined, and reporting for directory assistance and operator assistance answer times has been eliminated.

The revised minimum measures encompass metrics related to installation, repair, maintenance and answer time. Based on the record before us, these are the indicators that are most relevant in today's more competitive telecommunications market to reflect actual customer priorities and satisfaction.

The minimum measures we adopt are: (1) telephone service installation intervals (five business days); (2) installation commitments (95%); (3) customer trouble reports (six reports per 100 lines); (4) OOS repair intervals (24 hours); and (5) answer time (80% within 60 seconds related to trouble reports and billing and non-billing issues). These five reporting measures will apply to GRC ILECs, since they are fully regulated as the monopoly providers in their service territories and are designated COLRs in their service territories.

Fewer measures will apply to URF ILECs and CLECs since the competitive markets these entities operate in provide greater external pressure to ensure service quality and customer satisfaction. It is consistent with our policies in URF to minimize regulatory and reporting oversight in such competitive markets. The measures we adopt for URF ILECs and CLECs are: (1) customer trouble reports (six reports per 100 lines); (2) OOS repair intervals (24 hours); and (3) answer time (for billing and trouble report issues) (80% within 60 seconds). Consistent with the recommendation of DRA, these measures will apply only to carriers with over 5,000 customers, unless the carrier is also a COLR.

We grant specific exemptions from GO 133-C reporting requirements as explained below.

4.2.3.1. Current Installation Standards

GO 133-B contains service quality measures for held primary service orders and installation-line energizing commitments. Held primary service orders measure installation delays over 30 days due to lack of plant. Installation-line energizing commitments measure the percentage of commitments met for non-key telephone service.

DRA states the held primary service order measure is not necessary since this is no longer a problem in California given the reduced demand for second lines.[101] TURN similarly contends the measure is no longer useful in that reporting trends suggest it may only reflect extremely poor installation performance rather than current customer expectations.[102] Cox adds that held service orders are inconceivable in competitive markets, since carriers have every incentive to provide service quickly.[103]

With respect to line energizing commitments, TURN states that the goal of meeting 95% the commitments is too low to be meaningful, and carriers have exceeded the goal for many years. Thus, including this as a current measure would distort reporting results since it is so easily met.[104]

We agree that these measures are outdated and ineffective, and should be eliminated and replaced with more effective installation measures. The proposed measures which better indicate current service quality expectations are installation interval and installation commitments. These are discussed below.

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[101] DRA 2003 Comments, at p. 10.

[102] TURN 2003 Comments, at pp. 16-17.

[103] Cox 2003 Comments, at p. 15.

[104] TURN 2003 Comments, at pp. 16-17.

4.2.3.2. Installation Interval

The standard we adopt for reporting installation intervals is based on ARMIS data, as recommended by both DRA and TURN. The installation interval measures the amount of time to install basic telephone service. If an additional feature is included in a basic service installation, the installation interval should reflect the basic service installation. Measurement is done in business days and an average is calculated. Although TURN proposed three business days, we prefer the five business day standard proposed by DRA, consistent with the nationwide industry average.[105] This average is based on data compiled separately for small, mid-sized and large ILECs and is the lowest performance of a representative sample of carriers.[106] Small ILECs' average is consistent with the adopted standard, while mid-sized and large ILECs exceed the average. We believe TURN's proposed three business days is too far outside the industry average. We will require data for this measure to be compiled monthly and reported quarterly.

In adopting this measure, we recognize that the cost for carriers to change from the existing ARMIS requirement is not fully known.[107] In 2003, AT&T estimated that its labor costs to report under a new requirement would be low.[108]

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105 DRA 2007 Reply Comments, at p. 10.

106 *Id.*

107 Carriers that do not currently report this measure under ARMIS could incur additional costs to establish reporting.

108 AT&T 2003 Comments, Attachment 2, at p. 10. AT&T's labor costs were filed under seal. Although AT&T's estimate does not necessarily have general applicability to other carriers, it is useful to assess a range of costs from low to high, even for measures that AT&T is exempt from reporting.

Some parties have suggested that costs should not be limited to monetary costs, but that the Commission also should focus on the generalized economic costs of establishing uniform service standards.[109] Others argue there is no mandate to consider a cost-benefit analysis in the adoption of service quality measures, since Pub. Util. Code § 2896 requires the adoption of reasonable statewide service quality standards without a cost-benefit analysis.[110]

We also recognize it is difficult to compare tangible, out of pocket implementation costs with benefits that may not easily translate to dollar amounts. Service quality rules were not designed to provide direct financial benefits to consumers. Benefits are largely intangible, although poor customer satisfaction will certainly increase customer frustration and dissatisfaction. We note NCLC's suggestion that a regulated industry almost always over-estimates the costs of proposed regulations.[111]

In view of these considerations, and because the parties offered no evidence to find otherwise, we believe it would not be prohibitively costly to provide California-specific reporting of installation interval data. The URF ILECs already report under ARMIS. There is no disagreement that customer satisfaction with their carriers' service is likely to be higher with prompt basic service installation. Thus, it is probable the benefit of adopting this measure would exceed the cost.

This installation measure should apply to GRC ILECs, because they are the sole provider of basic local exchange service in their service territories. There is

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[109] Coalition 2003 Comments, at p. 29.

[110] NCLC 2003 Comments, at pp. 7-8.

little or no competitive market. In contrast, minimum service quality measures for URF ILECs and CLECs should reflect the competitive landscape in which they operate. Competitive carriers have a strong incentive to install service promptly. That incentive is illustrated by the industry averages compiled by DRA. Mid-sized and large ILECs exceed the installation average of small ILECs. Thus, there is no need require installation interval reporting for URF ILECs and CLECs. URF ILECs and CLECs are exempt from reporting installation intervals.

4.2.3.3. Installation Commitments

The standard we adopt for installation commitments is based on GO 133-B and ARMIS, as proposed by DRA. Installation commitments for basic service will be expressed as a percentage. The adopted standard is 95% of commitments met and excludes commitments that are not met due to customer actions. We believe DRA's proposal is reasonable since it is based on nationwide industry averages.[112] Small ILECs meet this average, while mid-sized and large ILECs exceed this average.[113] We will require installation commitments met to be compiled monthly and reported quarterly.

There is no evidence establishing the cost for carriers to change from the existing reporting measure to this new measure. In 2003, AT&T estimated that labor costs to report under a new requirement would be low.[114] Consistent with our reasoning above, customer satisfaction with their carriers' service will likely

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[111] *Id*. at pp. 9-11.

[112] DRA 2007 Reply Comments, at p. 10.

[113] *Id*.

[114] AT&T 2003 Comments, Attachment 2, at p. 7.

to be higher if installation commitments are met and thus, it is probable the benefit of adopting this measure would exceed the cost.

This reporting measure will apply to GRC ILECs because they are the sole provider of basic local exchange service in their service territories. Thus, this standard is adopted for GRC ILECs. Minimum service quality measures for URF ILECs and CLECs should reflect the competitive landscape in which they operate. Competitive carriers have a strong incentive to meet installation commitments and install service promptly. That incentive is illustrated by the industry averages compiled by DRA. Mid-sized and large ILECs exceed the installation average of small ILECs. Thus, there is no need for installation commitment standards for URF ILECs and CLECs. URF ILECs and CLECs are exempt from reporting installation commitments.

4.2.3.4. Customer Trouble Reports

The existing GO 133-B customer trouble report standard measures initial trouble in relation to lines or equipment. It is expressed as the number of reports per 100 lines. DRA supports retaining the existing standard, which is six reports per 100 working lines, including less stringent standards for service providers with fewer than 3,000 lines.[115]

TURN recommends we eliminate this particular measure, reasoning that the threshold of six trouble reports per 100 lines (and up to 10 trouble reports for smaller central offices) is far too high to represent good service and that carriers

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115 DRA 2003 Comments, p. 9. The less stringent standard is eight reports per 100 working lines for units with 1,001-2,999 working lines and 10 reports per 100 working lines for units with 1,000 or fewer working lines.

significantly exceed this standard.[116] TURN prefers we require reporting of the number of complaints per million customers. TURN argues that complaint data represents the real issues that customers face.[117]

We decline to adopt a standard associated with the number of complaints received by the Commission. Although complaints are one indicator of customer dissatisfaction, they normally span a range of issues which may or may not be tied to the actual indicators of service quality adopted under GO 133-C. We believe that on whole, customer trouble reports will provide more useful and relevant information. Accordingly, we will retain the minimum standard of no more than six trouble reports per 100 working lines regardless of central office size. We tend to agree with TURN, however, that the less stringent standard of ten trouble reports per 100 working lines for smaller central offices may be too high. We will eliminate the higher standard for smaller central offices. Six reports per 100 working lines is the revised standard. This standard for customer trouble reports is based on GO 133-B and ARMIS. Customer trouble reports will be compiled monthly and reported quarterly.

We next address the DRA and TURN recommendation that trouble reports must be defined consistently. We agree. DRA recommends that all calls to the repair center should count as true troubles, without exclusion.[118] We believe that may be too broad. For purposes of reporting this measure, customer trouble reports are defined as all reports affecting service as well as those regarding service that is not working.

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[116] TURN 2003 Comments, at p. 17.

[117] TURN 2007 Comments, at p. 10.

As with the preceding measures, there was no evidence quantifying the precise costs for carriers to comply with this measure. In 2003, AT&T estimated that labor costs to report under a new requirement would be low.[119] In as much as we are largely retaining the existing standard, we do not expect the cost to be burdensome. Customer satisfaction with their carriers' service is likely to be higher if service is reliable, and the incidence of trouble reports is one measure of reliability. Thus, it is probable the benefit of adopting this measure would exceed the cost. This service quality measure shall apply to GRC ILECs, because they are the sole provider of basic local exchange service in their service territories. We believe URF ILECs and CLECs should also be responsive to customers and prompt in addressing service difficulties. In this respect, the reporting of maintenance standards represented by the incidence of customer trouble reports would be beneficial. Maintenance standards such as this address critical health and safety concerns, and the industry averages compiled by DRA illustrate that larger ILECs tend to have lower performance on maintenance standards than do smaller ILECs. Further, not all service territories of URF ILECs include competitive choices. Thus, we will require URF ILECs and CLECs to report this measure. However, consistent with DRA's overall recommendation, we will only require this reporting for URF ILECs and CLECs with 5,000 or more customers, unless the carrier is a COLR.

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118 DRA 2003 Comments, at p. 15.

119 AT&T 2003 Comments, Attachment 2, at p. 21.

4.2.3.5. Out of Service Repair Intervals

GO 133-B does not currently require the reporting of OOS repair intervals. This indicator reflects how long a customer may have to wait to have service repaired. Both TURN and DRA recommend we adopt such a service quality measure. TURN suggests we use the ARMIS definition and set a maximum goal of 36 hours.[120] DRA recommends 25 hours.[121]

We note that Texas requires a carrier to clear 90% of OOS trouble reports within eight working hours (measured on a monthly basis);[122] and Illinois requires OOS troubles on basic service to be cleared within 24 hours.[123]

We agree that restoring service is critical given customers' reliance on their phones for summoning help in an emergency. Given the various proposals and standards of other states, we adopt a standard of twenty-four hours. Twenty-four hours from the time the carrier receives the OOS trouble report to the time service is restored is the minimum standard, consistent with the nationwide industry average calculated by DRA.[124]

The adopted OOS repair interval measure should measure in hours the time from receipt of the trouble report to the time service is restored, excluding time where maintenance is beyond the carrier's control. The large ILECs meet

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120 TURN 2007 Comments, at p. 9 (also referencing ARMIS 43-05, rows 144, 145, 148, and 149).

121 DRA 2007 Reply Comments, at p. 10.

122 Chapter 26 of the Texas Administrative Code, Title 16, Part II, §§ 26.54(c). (See http://www.puc.state.tx.us/rules/surules/telecom/26.54/26.54.doc.)

123 220 Illinois Compiled Statutes 5/13-712.

124 DRA 2007 Reply Comments, at p. 10.

this average, while mid-sized and small ILECs' performance is better than the average.[125] Repair intervals will be compiled monthly and reported quarterly.

Because carriers do not currently report this measure, the associated cost of reporting is unknown and no evidence was presented to estimate the anticipated costs. However, in 2003, AT&T estimated that labor costs to report under a new requirement would be low.[126] Customer satisfaction with their carriers' service is likely to be higher if service problems are addressed promptly. Thus, it is probable the benefit of adopting this measure would exceed the cost.

This measure shall apply to GRC ILECs because they are the sole provider of basic local exchange service in their service territories. Thus, this standard is adopted for GRC ILECs. Although URF ILECs and CLECs should also be responsive to customers and prompt in addressing service difficulties, measurement and reporting of maintenance standards would still be beneficial. Not all service territories of URF ILECs include competitive alternatives. Maintenance standards address critical health and safety concerns, and the industry averages compiled by DRA illustrate that larger ILECs have lower performance on maintenance standards than do smaller ILECs. Thus, this standard is adopted for URF ILECs and CLECs. However, consistent with DRA's overall recommendation, we will only require this reporting for URF ILECs and CLECs with 5,000 or more customers, unless the carrier is a COLR.

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[125] *Id.*

[126] AT&T 2003 Comments, Attachment 2, at p. 26.

4.2.3.6. Answer Time

This measure reflects how quickly a customer can expect to speak with a live agent when calling a carrier's business office regarding an issue. Existing answer time standards separately measure toll operator, directory assistance operator, trouble report, and business office answer times. Toll operator answer time measures calls answered within 10 seconds. Directory assistance answer time measures calls answered within 12 seconds. Trouble report and business office answer times measure calls answered within 20 seconds. DRA supports the current standard with a combined measure of 80% within 20 seconds.[127]

AT&T opposes answer time reporting, noting that 19 states do not regulate answer times.[128] AT&T also avers that operator assistance is a competitive service.[129] The Coalition suggests adopting a single answer time measure, which it believes would better reflect the operational structure of competitive carriers.[130] The Coalition notes that CLECs often resell the ILECs' directory assistance and operator assistance, so they do not control and cannot measure the level of performance.[131] The Coalition also questions whether data on directory assistance or operator assistance are facts material to a consumer's purchasing decision. In SureWest's view, the offering of free directory assistance renders

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127 DRA 2007 Comments, at p. 2.

128 AT&T 2003 Reply Comments, at p. 13, n.60.

129 AT&T 2003 Comments, Attachment 2, at. p. 41.

130 Coalition 2003 Comments, at p. 26.

131 *Id.* at p. 24.

measurement of directory assistance answer time obsolete.[132] Finally, many states do not measure directory assistance or operator assistance answer time.[133]

TURN notes that many issues can now be resolved by a customer's choice of automatic menu options; however, more complex issues may still require a live representative to be resolved.[134] TURN recommends a maximum goal of 60 seconds after the automated response unit, and asserts that an answer time measure should specifically include calls related to billing, repairs, trouble reports, as well as any other calls to the business center.[135] TURN also recommends that there be an option to speak with a live operator.

AARP recommends Ohio's approach.[136] Ohio requires an option to transfer to a live operator within the initial automated message as well as an operational feature that will transfer a customer to a live attendant if the customer fails to interact with the automated system within ten seconds following the prompt.[137] Otherwise, answer time must be measured from the point of the first ring at the business or repair office or from the time the customer enters the queue after the automated response. AARP asserts it is the long wait time after attempting to reach a live operator that bothers customers, not the simple fact that they reach an automated system, so there is no need to

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[132] SureWest 2007 Comments, at pp. 1-4.

[133] *See, e.g.,* Michigan Public Service Commission, Rule 61(c) and (d); OAC Ann. 4901:1-5-03 (A)(2) (Ohio).

[134] TURN 2007 Comments, at p. 9.

[135] *Id.* at pp. 9-10.

[136] AARP 2003 Comments, at p. 10.

[137] *See* Ohio Administrative Code Ann. 4901:1-5-03.

measure the answer time on automated calls.[138] Ohio requires reporting for large ILECs (with 50,000 or more access lines) and prompt contact is verified as an average monthly speed of ninety seconds in answering calls placed to business and repair offices.[139]

We believe a standard which simplifies the reporting of answer times is preferable. We also agree with AT&T and SureWest that directory assistance now is a competitive offering. For example, free directory assistance offerings are available by phone and on the Internet. For this reason, we believe that measuring answer time to speak with directory assistance is no longer necessary or useful as a component of minimum reporting standards. AT&T also asserts that operator assistance is a competitive service; prepaid and debit cards offer operator assistance calling.[140] Similarly, operator assistance answer time does not furnish information customers are likely to find useful, and many states do not measure it. For these reasons, we believe measuring answer time to speak with operator assistance is no longer necessary or useful as a component of minimum reporting standards. We will limit the reporting of answer time to calls related to trouble reports and billing and non-billing issues.

The standard we adopt for answer time related to trouble reports, and billing and non-billing issues is 80% of calls to be answered within 60 seconds from the time the customer is transferred from the automated response system, consistent with TURN's proposal. We are persuaded by TURN and AARP that customers' frustration results from the time spent waiting for a live operator

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[138] AARP 2003 Comments, at p. 10.

[139] OAC Ann. 4901:1-5-03(A)(2).

once the customer has selected that option in an automated response system. The standard applies to the time it takes to speak to a live agent after completing the interactive voice response (IVR) or automatic response unit system.[141] The adopted standard for answer time is based on GO 133-B, with the exception of billing inquiries. Answer time will be compiled quarterly and reported annually.

AT&T argues that the cost of reporting answer time is high. Its estimated labor costs in 2003 were highest related to answer time reporting. Toll operator answer time was the least costly to report, and billing and non-billing related answer time each was over 16 times more costly to report.[142] AT&T asserts that meeting the DRA and TURN answer time proposals would require hundreds of full-time equivalent employees and would cost $30 million and $20 million a year, respectively.[143]

Answer time reporting is already required under GO 133-B for ILECs. Accordingly, we are not convinced that the modification of this measure that we adopt today will result in an incremental cost that is unduly burdensome. We must also weigh cost issues against the fact that a customer's satisfaction with service quality will certainly be higher if its contacts with the carrier are answered within a reasonable timeframe. Conversely, frustration will increase if a prompt response does not occur. Further, we note that GRC ILECs have the

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140 AT&T 2003 Comments, Attachment 2, at p. 40.

141 TURN notes that a Southern California Edison survey showed that customer dissatisfaction increases with a 60-second average response time and significantly increases with a three-minute average response time. (TURN 2007 Comments, at p. 10, n.6.)

142 AT&T 2003 Comments, Attachment 2, at pp. 40, 41, 43, 44, 45.

143 AT&T 2003 Reply Comments, at pp. 18, n.81, (Koester Declaration, ¶¶ 2-3.)

means to recover the costs of implementing this measure in their GRCs. Thus, this measure will apply to GRC ILECs.

We will consider a limited exemption from answer time reporting for URF ILECs and CLECs. Overall, answer time may be the most costly measure to report, with the greatest portion of those costs going to non-billing issues. We believe there is a competitive market for local exchange services which helps ensure that URF ILECs and CLECs adequately address calls for non-billing inquiries. Arguably, the operational costs associated with such reporting outweighs the need to require this type of information from URF ILECs and CLECs. Thus, these carriers are exempt from reporting answer time for non-billing issues.

It is of greater concern to ensure adequate carrier response to maintenance issues. Trouble report answer time and OOS repair interval answer time are indicative of maintenance service quality. No evidence establishes that the cost of reporting this information outweighs the Commission's duty to ensure customers have functioning telecommunications equipment. Further, customers have no alternative than the carrier in resolving maintenance issues.

Accordingly, answer time standards for billing issues, trouble reports, and OOS repair intervals shall apply to URF ILECs and CLECs with 5,000 or more customers. URF ILECs and CLECs with fewer than 5,000 customers are exempt from these answer time measures unless the provider is a COLR.[144]

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[144] We decline to extend this exemption based on the size of a carrier to the GRC ILECs. The Small LECs state that the current toll operator answering time measures apply only to those traffic offices handling 2,000 or more calls on an average business day. This limit exempts many of the small LECs from this standard. Trouble report and business office answering time measures apply only to all centralized service groups which

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4.2.3.7. Miscellaneous Issues Regarding Installation and Maintenance Measure Reporting

Consistent with our stated intent in this proceeding, the measures adopted in this Decision will apply to basic local exchange service. Installation and repair measures do not apply to interexchange carrier services. The adopted installation and maintenance standards will also apply only to facilities-based carriers,[145] because only facilities-based carriers have access to the underlying network. And the adopted installation standards will not apply to additional features, such as call waiting and call forwarding.

The OIR proposed that parties consider whether it is necessary to distinguish between primary and additional lines and report that data separately.[146] It was suggested that some measures only apply to primary lines (installation measures) and others to primary and other telephone lines (*e.g.*, customer trouble reports).[147]

CPSD asserted the only definition of a primary line is in the context of administering the California High Cost Fund B, not for measuring service quality.[148] In addition, we note ARMIS makes no such distinction. Since the

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support 10,000 or more lines. All but four Small LECs are exempt from those standards. Combining reporting for the three measures raises the question of whether a uniform exemption should be adopted. At this time, we decline to adopt a uniform exemption.

145 Facilities-based carriers are telephone companies that own switches and transmission facilities over which they provide telecommunications services (in contrast to non-facilities-based carriers that lease facilities from facilities-based carriers).

146 OIR, at pp. 24, 25, 26.

147 *Id.* at p. 26.

148 CPSD 2003 Comments, at pp. 4-5.

measures adopted in this Decision conform to ARMIS, no distinction between primary and additional lines is necessary. GO 133-C is consistent and defines a line as an access line which provides dial tone and which runs from the local central office to the subscriber's premises.

We next consider a proposed exemption from reporting for business customers. Cbeyond recommends such an exemption.[149] As previously noted, CBeyond maintains the level of competition in the market for business services is greater than residential, and business customers have greater resources and technical expertise, as well as bargaining power to resolve service quality concerns.[150] DRA agrees somewhat, recommending that reporting for business customers be limited to small business customers, those that purchase five or fewer lines.[151]

DOD/FEA opposes an exemption, pointing to ARMIS data that illustrates California business customers are dissatisfied with maintenance and business office contacts comparable to dissatisfaction levels among residential customers.[152]

We recognize that competition is generally greater for business local exchange services than it is for residential services. The competitive landscape requires some accommodation for reporting on business services. Although we decline to exempt all reporting for business customers, we generally support

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149 Cbeyond 2007 Comments, at pp. 1-2.

150 *Id.*

151 DRA 2007 Reply Comments, at p. 11.

152 DOD/FEA 2007 Reply Comments, at p. 11. AT&T does not report disaggregated data for large business customers whereas Verizon does.

DRA's proposal that it makes sense to limit reporting to smaller businesses. However, any exemption for reporting for larger business customers should have a definition that is consistent with what is reported under ARMIS. ARMIS makes no distinction between small and large business customers for reporting data per ARMIS Report 43-05. (*See* http://www.fcc.gov/wcb/armis/instructions/2008/definitions06.htm#T1C.)[153] Because ARMIS does not define a small business customer as a customer with five or fewer lines, or some other standard, we decline to exempt reporting for large business customers at this time.

4.3. Reporting Exemptions for Wireless Carriers, Resellers and IP-Enabled Services

In this section we discuss whether an exemption from reporting service quality measures should be granted for wireless carriers, resellers, and IP-enabled services (including VoIP and cable services).

Verizon Wireless and CTIA argue that wireless carriers should be exempt from any service quality reporting. Verizon Wireless contends that reporting of service quality measures makes no practical sense and is outside the scope of the Commission's jurisdiction.[154] Moreover, Verizon Wireless argues that because the wireless industry is competitive, the market has already responded to the need for information on customer satisfaction.[155] CTIA mirrors this view,

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153 However, ARMIS permits carriers to define small and large business customers for reporting customer satisfaction survey data per ARMIS Report 43-06. (http://www.fcc.gov/wcb/armis/instructions/2008/definitions05.htm#T2C.)

154 Verizon Wireless 2007 Comments, at p. 1.

155 *Id.* at p. 2. See also AT&T Wireless 2003 Comments, at p. 18.

pointing to the variety of information sources already available in the market place that allow customers to assess the service quality of various wireless providers.[156]

DOD/FEA does not subscribe to the same rationale as Verizon Wireless and CTIA for allowing an exemption, stating rather that it is unclear in their view whether the Commission has requisite statutory authority to require such carriers to report service quality information.[157]

TURN and DRA agree that the installation, repair, and maintenance indicators that apply to wireline carriers are not relevant to wireless carriers.[158] Accordingly, they say, there would be no point to requiring the reporting of related service quality measures. However, TURN does propose three indicators that it believes would be useful for wireless carriers to report, specifically, call-success rates, service coverage information (street level), and call drop-out rates.[159] TURN also suggests that the Commission monitor the average wait time to speak with a live agent, Commission complaints per million customers, the percent of calls receiving busy signals, and the percent of calls abandoned.[160]

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156 CTIA 2007 Comments, at pp. 2-5.

157 DOD/FEA 2007 Reply Comments, at p. 14.

158 TURN 2007 Comments, at pp. 11-14; DRA 2007 Reply Comments, at pp. 12-13.

159 TURN 2007 Comments, at pp. 11-14. Call-success rate would measure the number of successful calls established over the total number of call attempts. Service coverage would measure the network's ability in achieving a signal strength of -100 dBm or better during the mobile call holding period. Call drop-out would measure the unintended disconnection of mobile calls by the network during a 100-second call holding period for each call.

160 *Id.* at p. 14.

CTIA states these requirements do not factor in availability of information through an IVR, a carrier's website or the cell phone itself.[161]

DRA does not make any specific recommendations, but agrees that the information TURN identifies would contribute to the efficiency of the market and would be informative to customers.[162] DisabRA specifically notes the usefulness of call-success and drop rates for wireless customers.[163]

We believe it is premature to address whether this Commission has jurisdiction to require service quality reporting for wireless, VoIP, and IP-enabled carriers. As we noted previously, the Commission has deferred any final decision on such issues pending the FCC's pending rulemaking regarding appropriate regulatory treatment of such carriers.[164] For this reason, we are disinclined to adopt a reporting requirement for these groups of carriers at this time. We also believe that should we determine to adopt service quality measures for these carriers in the future, we would prefer a more fully developed record concerning the types of measures that would be meaningful, and not duplicative of already available information, for wireless, VoIP and IP-enabled customers.

Accordingly, we decline to adopt TURN's recommendation. Wireless carriers, VoIP and IP-enabled carriers (including cable) are exempt from service quality standards. For somewhat different reasons, we will also exempt resellers from reporting service quality measures. Although AARP opposes such an

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161 CTIA 2007 Reply Comments, p. 9.

162 DRA 2007 Reply Comments, at p. 13.

163 DisabRA 2007 Comments, at p. 3.

164 See *ante,* fn. 24.

exemption,[165] we believe that some degree of control over the underlying network facilities is a critical component in a carrier's ability to affect service quality. Resellers, as non-facilities-based carriers, cannot control the underlying network, at least in respect to issues regarding installation, maintenance and repair measures. With respect to answer time, the record does not contain sufficient evidence to determine whether reporting of this information for resellers would in fact be relevant or beneficial for reseller customers.

4.4. Commission Publishing of Carrier Data

In 2003, the parties commented on whether the Commission should publish carriers' reported service quality data as an alternative or interim step to establishing measures and measure-specific quality assurance mechanisms for some measures.[166] Many parties supported publishing carriers' data, especially if the Commission adopts specific minimum service quality measures.[167] Fewer

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[165] AARP 2003 Comments, at p. 3.

[166] See issue raised in the Assigned Commissioner and Administrative Law Judge's Ruling Denying in Part and Granting in Part Motion to Suspend, dated March 7, 2003, at p. 1.

[167] AT&T supported publication as an alternative for all but a few measures related to consumer health and safety. (AT&T 2003 Comments, at p. 16.) DRA supported publishing as an adjunct to adopting minimum service quality standards. (DRA 2003 Comments, at p. 6.) DOD/FEA expressed customers need to have access to such comparative service quality data. (DOD/FEA 2003 Comments, at p. 2.) Working Assets supported standards for reporting adopted measures. (Working Assets 2003 Comments, at p. 9.) TURN supported comparisons of carrier performance. (TURN 2003 Comments, at p. 25.) CSBRT/CSBA supported access to service quality information in a customer-friendly format to inform purchasing decisions. (CSBRT/CSBA 2003 Comments, at p. 6.) Cox supported publishing service quality information for all carriers. (Cox 2003 Comments, at p. 20.) Verizon supported publishing a narrow range of measures. (Verizon 2003 Comments, at p. 21.) Frontier and the GRC LECs supported publishing for carriers that face competition. (Frontier

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parties were opposed to publishing such information, most notably the wireless carriers.[168] Some parties supported workshops to address publishing data.

We believe publishing carriers' reported service quality information is reasonable since such information provided to the Commission is part of the public record. We also believe this information could be helpful to consumers. However, publishing such data only is helpful if carriers report information in a uniform and consistent format. In that way, customers can use the information as another data point to decide whether a particular carrier provides their required level of service in areas that are important to them.

A template for reporting GO 133-C service quality data is attached to the GO. Our goal is a uniform and consistent reporting format so that the data to be published will be reliable, will be consistently gathered, and will be posted in a format that is consumer friendly and provides meaningful comparisons, such that apples are being compared to apples and oranges to oranges.

4.5. Major Service Interruption Reporting

A service interruption is major if there is a complete loss of inward and/or outward calling capability from a central office for periods in excess of 30 minutes (carriers with fewer than 10,000 primary stations) or 10 minutes (carriers with 10,000 or more primary stations).

2003 Comments, at p. 12; Small LECs' 2003 Comments, at p. 11.) SureWest supported publishing only for carriers that have documented service quality problems. (SureWest 2003 Comments, at p. 12.).

[168] CPSD questioned the value of posting data. (CPSD 2003 Comments, at p. 27.) See also AT&T/ASI 2003 Comments, at p. 9); CCAC 2003 Comments, at pp. 6-7; T-Mobile 2003 Comments, at pp. 14-15; and Cingular Wireless 2003 Comments, at pp. 2-3.

The Commission currently requires MSI reporting. To date, however, the Commission's requirements have not been formalized in a general order or decision. Rather, the Commission's requirements and guidelines are the result of a 1977 Communications Division memo, and they do not apply to all carriers.[169] The FCC has a more formalized reporting scheme as adopted in FCC 05-46 Report and Order (February 25, 2005). The FCC requires all voice providers, including wireless, to report all outages to the FCC that last at least 30 minutes and potentially affect at least 900,000 user minutes. These reports must be filed within two hours of discovering the outage. A more detailed initial report must be filed within 72 hours and a final report must be filed within 30 days.

DRA recommends the Commission require both types of reporting outages because the FCC outage reports do not include all MSIs in California, only the most severe outages.[170] DRA also suggests requiring both wireless and wireline carriers to prepare a report similar to the annual report all eligible telecommunications carriers (ETC) submit to the FCC on outages affecting 10% or more of customers.[171] DRA asserts this report would permit year-to-year comparisons and would make it easier for carriers to qualify as ETCs for federal high cost funding. TURN supports inclusion of all carriers, wireline and wireless, in reporting major service quality interruptions.[172] Verizon

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[169] October 5, 1977 memo and attached MSI Report Form from Ermet Macario, Acting Chief – Surveillance Branch, Communications Division to all telephone utilities.

[170] DRA 2007 Reply Comments, at p. 11.

[171] DRA 2007 Comments, at p. 18.

[172] TURN 2007 Comments, at pp. 19-20.

recommends maintaining the existing Commission and FCC reporting requirements.[173]

The GRC ILECs, SureWest, and Frontier recommend conforming the Commission's reporting requirements to the FCC's.[174] SureWest and Frontier would continue to report pursuant to the Commission's MSI requirement, but prefer the FCC's reporting scheme.[175] AT&T believes it would be consistent with the Commission's approach in URF to simply require submittal of the FCC report.[176]

CTIA reports that the Department of Homeland Security (DHS) supported sharing outage information reported to the FCC with state public utility commissions rather than requiring separate filings at the state level. Since much of the outage information is homeland security information, DHS noted that sharing the information with state authorities would more effectively safeguard sensitive information.[177] Similarly, CTIA asserts that providing ETC information

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[173] Verizon 2007 Comments, at p. 12.

[174] Small LECs 2007 Comments, at p. 3.

[175] SureWest 2007 Comments, at p. 6; Frontier 2007 Comments, at p. 4.

[176] AT&T 2007 Reply Comments, at p. 21.

[177] CTIA's 2007 Reply Comments, pp. 11-12. CTIA notes adoption of FCC reporting requirements is consistent with the reliance on FCC ARMIS reporting under the *URF Phase I Decision,* [D.06-08-030], *supra,* at p. 217. The Network Outage Reporting System (NORS) is the Public Safety and Homeland Security Bureau's Internet-based system for filing reports of telecommunication service disruptions pursuant to Part 4 of the FCC's rules. The system facilitates the filing of required Notifications, Initial Reports and Final Reports. The information on service disruptions is essential to maintain and improve the reliability and security of the telecommunications infrastructure. http://www.fcc.gov/pshs/services/cip/nors.html

would afford no benefit to wireless carriers since only one is an ETC in California.[178]

We generally favor streamlined reporting consistent with the policies we adopted in URF. At the same time we recognize that the outage information provided to this Commission is more extensive than the information provided to the FCC and that, in this instance, continuing to require more data than the FCC requires may be the best way to keep apprised of service outage problems in order to ensure fully functioning telecommunications systems. Functioning telecommunications systems are imperative in emergencies and in connection with Homeland Security functions.

Accordingly, we will standardize the reporting requirements found in the 1977 memo. These reporting requirements will apply to all facilities-based certificated and registered carriers. Carriers shall continue to report a complete loss of inward and/or outward calling capability from a central office for periods in excess of 30 minutes for carriers with fewer than 10,000 primary stations and in excess of 10 minutes for carriers with 10,000 or more primary lines. Carriers also shall report any outages that are caused by government declared catastrophic events, including but not limited to states of emergency. Finally, carriers shall report any network or service interruption that results in media attention. Media attention results when a print, broadcast or online news entity either contacts the utility about an outage or reports an outage through its media outlet.

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[178] *Id.* at 12.

Written reports normally are satisfactory, but where large numbers of customers are impacted or the impact is of great severity, carriers shall report promptly by telephone. A template for reporting MSI is attached to GO 133-C.

We decline to adopt DRA's proposal for an annual report comparable to the federal ETC report because DRA has not established that the ETC report would significantly increase our knowledge of MSIs.

4.6. Service Quality Monitoring

At issue here is whether the Commission should monitor service quality by requiring carriers to file federal ARMIS and MCOT reports with this Commission, and whether we should continue or eliminate certain existing Commission state-specific reporting.

4.6.1. ARMIS and MCOT Reports

ARMIS was created by the FCC in 1987 and now consists of ten public reports covering information regarding finances, operations, service quality, customer satisfaction, switch downtime, infrastructure, and usage.[179] URF ILECs and some small LECs file ARMIS service quality data.[180] However, ARMIS reporting is not required of non-URF ILECs, CLECs, and non-wireline carriers (wireless, cable). In this rulemaking, the Commission is focusing on ARMIS service quality reporting in Report 43-05.

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[179] See http://www.fcc.gov/wcb/armis/. Specific measures contained in the ARMIS tables can be found in Exhibit A of Verizon's 2007 Comments.

[180] The small LECs in California that are required to file ARMIS service quality information in Report 43-05 are Verizon West Coast, Citizens-Golden State, and Citizens Tuolumne. *See* Attachment 4.

MCOT reports were imposed as merger conditions by the FCC in the 2000 Bell Atlantic/GTE and 1999 SBC/Ameritech mergers.[181] The MCOT reports include information regarding installation for basic service, access line for basic service, repair for basic service, customer complaints, and answer time performance.[182] In California, MCOT reporting applies only to Verizon and AT&T affiliated ILECs. The FCC MCOT reports were only required for a limited period of time and ceased in approximately 2002.

4.6.2. Parties' Positions on ARMIS and MCOT Reports

TURN supports continued reporting of MCOT data by AT&T and Verizon if TURN's metrics are not adopted.[183] TURN argues that MCOT reports contain carefully considered indicators. If TURN's indicators are adopted, TURN sees no requirement for continued MCOT reporting. TURN recommends the

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181 *In the Application of GTE Corporation, Transferor, and Bell Atlantic Corporation, Transferee, For Consent to Transfer Control of Domestic and International Sections 214 and 310 Authorizations and Applications to Transfer Control of a Submarine Cable Landing License,* CC Docket No. 98-184, Condition 51 (MEMORANDUM OPINION AND ORDER) FCC 00-211 (Adopted June 16, 2000); *In re Applications of Ameritech Corp., Transferor, and SBC Communications Inc., Transferee, For Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95, and 101 of the Commission's Rules,* CC Docket No. 98-141, Appendix C, Condition XXIV, ¶ 62 (MEMORANDUM OPINION AND ORDER) FCC 99-279 (Adopted October 6, 1999).

182 Installation data includes installation order and performance. Repair includes trouble report volume, type, location, and performance. Answer time includes calls attempted and completed for automated systems, calls abandoned, calls receiving a busy signal, average answer time and percentage of calls abandoned and receiving busy signals.

183 TURN's Comments, p. 19. TURN's proposed metrics on answer time, abandoned calls and calls receiving busy signals are based on MCOT.

Commission continue to monitor the California-specific indicators from ARMIS for URF ILECs, and that other carriers should report TURN's metrics.[184]

Verizon argues MCOT reporting should be eliminated as it is outdated, ILEC-centric, and not competitively or technologically neutral. In Verizon's view, such reporting cannot replicate the dynamic price/quality preferences individuals have in a competitive marketplace, thus it risks distorting competition, to the detriment of consumers.[185] While Verizon believes ARMIS reporting suffers from the same problems, it would favor Commission monitoring of ARMIS if the Commission remains interested in monitoring ILEC legacy service quality metrics.[186] AT&T recommends eliminating MCOT reporting for similar reasons, stating the measures imposed by MCOT have little value to consumers in choosing among competitive alternatives, and have inherent costs.[187]

4.6.3. Discussion

In determining whether to continue or eliminate MCOT reporting, we look to whether its purpose is still relevant. Specifically, its underlying rationale was to monitor service quality post-merger. It has been over eight years since the respective mergers, and we note that the FCC discontinued MCOT reporting in 2002. Accordingly, it is reasonable to conclude that the immediate concerns which triggered the MCOT requirements no longer apply. We are aware that in

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184 *Id*. DRA generally supports monitoring but offers no specific recommendations.

185 Verizon 2007 Comments, at pp. 17-18, see also Aron Declaration, at p. 37.

186 Verizon 2007 Comments, at p. 19. MCOT reporting should be eliminated for all carriers subject to that reporting, including Verizon West Coast Inc.

187 AT&T 2007 Comments, at p. 15.

2003 this Commission directed Verizon and AT&T to continue providing MCOT data pending further notice.[188] However, that determination predated our considerations regarding competition in URF.

We agree with Verizon and AT&T that the MCOT reports are outdated and are inconsistent with the Commission's goal of more uniform and neutral reporting requirements. And although some parties encourage us to leave MCOT reporting in place, no evidence was offered which would compel such a result. For these reasons, we will discontinue MCOT reporting.

With respect to ARMIS service quality reports, we previously noted the FCC's pending rulemaking to consider issues related to continuation and scope of those reports.[189] As recently determined by the FCC, such reporting shall continue for 24 months while the FCC evaluates whether ARMIS-like reporting should be developed for different classes of carriers. Pending the FCC's consideration of this issue, carriers currently required to file ARMIS service quality data with the FCC in Report 43-05 will continue to furnish California-specific service quality data to this Commission until September 6, 2010. Carriers should submit this data at the same time it is filed with the FCC.

If the FCC determines that service quality data should be furnished by different classes of carriers in Report 43-05 or a successor report, those carriers shall compile and furnish California-specific service quality data to the

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[188] *Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California, Inc., Order Instituting Investigation on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Inc.* ("*Interim Opinion re Phase 2B Issues Service Quality of Pacific Bell and Verizon California*") [D.03-10-008] (2003) __ Cal.P.U.C.3d __, at pp. 117-124 (slip op.).

[189] See *ante*, fn. 36.

Commission at the same time, consistent with the practice for ARMIS reporting. The Director of the Communications Division may provide instructions to the carriers on how to furnish that data, as necessary. If the FCC reverses its tentative determination that such data should be reported by all classes of carriers, we shall require the currently reporting URF ILECs to continue to file California-specific ARMIS service quality data in Report 43-05 with the Commission through December 31, 2011. If parties believe the Commission should continue to require such reporting beyond that date, they should file a petition for rulemaking with this Commission requesting consideration of continued reporting requirements.[190]

4.6.4. Commission Monitoring Reports

Carriers currently file a number of service quality monitoring reports with the Commission. These include: (1) GO 133-B service measures; (2) GO 152 service measures for private line alarm service; (3) the MSI report;[191] (4) MCOT;[192] (5) quarterly subscriber complaint report-cramming/slamming; and (6) complaint response for general/disability telephone-related issues. Not all carriers are required to file all of the reports, although AT&T and Verizon file most of them.[193]

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[190] See Rule 6.3 of the Commission's Rules of Practice and Procedure and Pub. Util. Code § 1708.5.

[191] MSI reporting is discussed above.

[192] MCOT reporting is discussed above.

[193] The carriers that currently file service quality reports with the Commission and the FCC are listed in Attachment 4. Consistent with D.03-10-088, the AT&T and Verizon merger condition reports are referred to as MCOT reports. Verizon calls its MCOT

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Verizon and AT&T recommend eliminating GO 133-B reporting for the same reasons they objected to MCOT reporting.[194] The small LECs (GRC ILECs) do not object to continued reporting under GO 133-B.[195] SureWest and Frontier object to GO 133-B reporting on the basis of cost and the argument it is not necessary in a competitive environment.[196] As discussed above, DRA and TURN recommended a more streamlined version of GO 133-B. Consistent with our adoption of minimum service quality measures, GO 133-B reporting is replaced with GO 133-C reporting.

No party proposes elimination of the other monitoring reports. The GO 152 private line alarm service measures, revised in D.88-11-018, include alarm held orders, installation due date, service trouble report, and repair responses.[197] The subscriber complaint report, adopted in D.00-03-020 and modified in D.00-11-015 pursuant to Pub. Util. Code § 2889.9(d), requires billing telephone companies to track and report billing disputes concerning slamming and cramming.[198] The complaint response for general and disability telephone-related issues is required by the FCC and is reported to the Commission by AT&T. It addresses how these complaints are resolved. Accordingly, we will continue to require carriers that currently submit these

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report a NARUC report. By eliminating MCOT reports, the Commission is eliminating the Verizon NARUC report.

194 Verizon 2007 Comments, at pp. 6-10, 17-18; AT&T 2007 Comments, at pp. 14-15.

195 Small LECs 2007 Comments, at p. 3.

196 SureWest 2007 Comments, at p. 7; Frontier 2007 Comments, at p. 5.

197 AT&T, Verizon, SureWest, and Frontier submit this report.

198 AT&T, Verizon, SureWest, Frontier, the GRC ILECs, and CLECs submit this report.

reports to continue to submit them: complaint response for general/disability telephone-related issues; GO 152 private line alarm service measures; and the cramming/slamming report.

4.7. Wireless Coverage Maps

We next address the issue of whether the Commission should require wireless carriers to provide coverage maps. Currently, there is no such requirement.

4.7.1. Parties' Positions

DRA recommends that wireless carriers provide detailed street coverage and service maps as compiled by wireless carriers.[199] DRA suggests such maps should be provided at the point of sale, and should show areas of weak and strong reception.[200] TURN also supports street level service coverage maps.[201]

Wireless carriers generally oppose such a requirement. CTIA comments that detailed coverage maps are used to tune and retune the cellular radios that comprise the carriers' networks. These maps are not intended to ensure customers that a particular call will go through, given that many factors impact whether a particular call goes through such as network congestion, geographic factors, and weather.[202] SprintNextel states that detailed wireless service coverage information is available on carriers' public websites and customers have the opportunity to terminate service within 30 days of signing a service

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[199] DRA 2007 Reply Comments, at p. 3.

[200] *Id.*

[201] TURN 2007 Reply Comments, at p. 19.

[202] CTIA 2007 Reply Comments, at p. 4.

contract without incurring an early termination fee.[203] SprintNextel illustrates in detail how detailed coverage information is available on its website.[204] AT&T notes that the Commission's CalPhoneInfo initiative suggests customers test their phone and its features during the carrier's trial period.[205]

DRA also notes that many wireless carriers have entered into an agreement of voluntary compliance with Attorneys General from several states.[206] The agreement provides that carriers implement procedures during a sales transaction at a retail location and on their websites to provide maps depicting approximate wireless service coverage. These maps would depict approximate outdoor coverage based on signal strength and signal strength confidence levels under normal operating conditions. California has not entered into the agreement and DRA states the agreement does not achieve the information disclosure needed by California consumers due to the lack of a common metric.[207] The agreement specifically provides that:

> Carrier shall implement procedures to provide during a Sales Transaction at its retail locations, and provide on its website, maps depicting approximate Wireless Service coverage applicable to the Wireless Service rate plan(s) being sold. The maps will be at Carrier's retail locations in printed materials that Consumers may take with them and on Carrier's website as electronic documents that Consumers may print out. The maps will be generated using predictive modeling and mapping techniques commonly used by

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[203] SprintNextel's Reply Comments, at p. 3.

[204] *Id*. at pp. 4-8.

[205] AT&T 2007 Reply Comments, at p. 22.

[206] DRA 2007 Wireless Coverage Comments, at p. 11.

[207] *Id*. at p. 11.

> radio frequency engineers in the wireless service industry to depict approximate outdoor coverage, based on then-appropriate signal strength for the applicable wireless technology and signal strength confidence levels under normal operating conditions on Carrier's network, factoring in topographical conditions, and subject to variables that impact radio service generally. All such maps will include a clear and conspicuous disclosure of material limitations in Wireless Service coverage depiction and Wireless Service availability. To assist Consumers in making comparisons among carriers, Carrier will make available to Consumers separate [sic] such maps depicting approximate Wireless Service coverage on a nationwide and regionwide basis as applicable to its Wireless Service rate plans that are currently offered to Consumers.[208]

4.7.2. Discussion

Two variables influence a customer's ability to determine wireless coverage: the availability of adequate coverage maps; and the opportunity to view those maps online or at retail outlets. DRA's informal survey measured the availability of wireless coverage information as requested by sophisticated "customers" at retail outlets. A formal study recently conducted by J.D. Power and Associates regarding wireless retail sales satisfaction found that wireless salespeople were performing key activities in a way that would result in fewer positive retail experiences. For example, the incidence of salespeople showing or providing customers with a local service area map had declined to 58%, down 16% from 2006. The incidence of salespeople explaining the wireless coverage area had declined to 58%, a decrease of 12%.[209]

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[208] http://www.nasuca.org/CINGULAR%20AVC%20FINAL%20VERSION.pdf

[209] J.D. Power & Associates 2008 Wireless Retail Sales Satisfaction Study Volume 2, October 23, 2008. http://www.jdpower.com/telecom/articles/2008-Wireless-Retail-Sales-Satisfaction-Study

We agree that whether wireless coverage is satisfactory in the area where a customer needs service is a primary component of a customer's satisfaction with that service. The ability to obtain expected coverage information either online or at a retail location assists a customer in purchasing wireless service, especially if that customer is an informed purchaser of wireless service. And if customers do not know that detailed coverage information exists, they are dependent on salespeople to provide that information. Although a service trial period may help a customer assess whether coverage is satisfactory, its usefulness depends on the customer's willingness and ability to travel to all areas of interest during the trial periods. It does not, and should not, act as a substitute for carriers providing relevant coverage information so that customers can make an informed wireless service purchase.

Although DRA is unimpressed with the type of voluntary agreements described above, we see such a commitment as a necessary starting point for customer access to coverage information. Our preference is to make California's requirements for coverage map disclosure consistent with those adopted in other states. While we do not specifically require street level maps, we shall require wireless carriers to provide coverage maps depicting approximate wireless service coverage applicable to the wireless service offered rate plans. These maps should be provided in printable format on carriers' websites and in a printable format at their retail locations that customers can take with them. The coverage information provided at retail locations must be no less detailed than coverage information provided on carriers' websites. We expect that coverage maps will show where wireless phone users may expect to receive signal strength adequate to assure the ability to place and receive calls when outdoors under normal operating conditions. All maps should include a clear and conspicuous disclosure of material limitations in wireless service coverage depiction and wireless service availability. We decline to specify that the detail provided conform to specific engineering standards.[210] We further require wireless carrier representatives at retail locations to inform prospective customers that coverage maps are available. When customers are able to obtain this coverage information, they will be able to make a more informed selection of a specific wireless carrier and wireless plan; the trial period will allow customers to test the accuracy of the information provided.

4.8. AT&T's Out of Service Repair Interval Reporting

In 2001, the Commission resolved a complaint filed against AT&T regarding its residential repair interval performance.[211] In that decision the Commission found, among other things, that the increase in AT&T's average number of hours to restore dial tone to residential customers between 1996-2000 violated the requirement under Pub. Util. Code § 451 to provide "adequate, efficient, just, and reasonable" service.[212]

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[210] Any voluntary compliance agreement reached between the California Attorney General and any wireless carrier shall supersede any and all requirements concerning access to coverage maps contained in this decision.

[211] *The Office of Ratepayer Advocates v. Pacific Bell Telephone Company* ("*Opinion Granting Complaint, In Part*") [D.01-12-021] (2001) __ Cal.P.U.C.3d __, at pp. 1, 56-57 (slip op.).

[212] *Id.* at p. 1. As a result, AT&T was required to file ARMIS monthly reports for initial and repeat OOS repair intervals. In any year in which AT&T exceeds the initial repair interval of 29.3 hours or the repeat OOS repair interval of 39.4 hours AT&T must pay a penalty of $300,000 for each month of the year where it exceeded the standard. The standards were based on AT&T's performance in 1996. If there is a catastrophic event or widespread service outage in a particular month, AT&T can request exclusion of results for that month.

DRA recommends continuing the AT&T OOS repair interval ARMIS reporting requirement since it was adopted in D.01-12-021 as a penalty for violating merger requirements and regulations.[213] DRA reports that AT&T has had ongoing performance issues on OOS intervals and it is rare for any California ILEC to have worse OOS intervals for residential customers. AT&T counters by arguing these requirements are inconsistent with competitive parity since no other ILEC has the same requirement.[214] AT&T argues that these requirements also are inconsistent with URF competitive parity requirements,[215] and have outlived their usefulness because the merger commitment to maintain or improve service quality expired in 2002.[216]

We believe that the OOS repair interval reporting adopted in this Decision as part of the new GO 133-C is in fact more stringent than the requirement we set under D.01-12-021 (new 24-hour repair interval standard as opposed to the prior 29.3-hour requirement). As noted above, we will also require carriers that report ARMIS OOS repair interval data (including AT&T) to continue reporting such information until at least September of 2010, and potentially through 2011, as discussed above.

The reporting required under GO 133-C in combination with ARMIS reporting should enable us to determine whether AT&T's repair service interval is adequate. Further, GO 133-C permits a staff investigation as the means to address any failure to achieve OOS repair interval service levels which may

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[213] DRA 2007 Comments, at p. 22; DRA 2007 Reply Comments, at pp. 13-14.

[214] AT&T 2007 Reply Comments, at p. 13.

[215] AT&T 2003 Comments, at p. 15.

[216] AT&T 2007 Reply Comments, at pp. 9-10.

occur for six or more consecutive months. With the adoption of GO 133-C, AT&T will be held to the same standard as other URF carriers and its obligation to report under D.01-12-021 shall cease.

4.9. Parties' Additional Proposals

Parties' presented separate proposals as discussed below. We generally decline to adopt these additional proposals.

4.9.1. Service Provider Report Card

DRA recommends the Commission website display a service provider report card to show the performance results of each carrier on the adopted measures, arguing that this information would assist customers in choosing a provider. As discussed above, we support the publishing of reported data once a uniform and consistent reporting format has been developed for that purpose.

4.9.2. Remedies

DRA recommends the Commission require remedial actions for carriers with two or more reported measures below the adopted standards in one year or two years in a row below the reported industry average on any one measure. As a first remedial action, the carrier would be required to meet with the Communications Division to present proposals on improving performance. If poor performance continues during the following three months, as a second remedial action the Communications Division may require monthly reporting requirements.

We agree that in order to be effective and meaningful, there should be certain ramifications for failure to meet the service quality standards we adopt today. Authorizing staff to undertake the above actions improves the efficiency of the Commission's processes and helps ensure compliance with our orders and requirements. Staff may also recommend the Commission institute a formal investigation into a carrier's performance and alleged failure to meet the reporting service level for six or more consecutive months.

4.9.3. Service Guarantees

TURN recommends the Commission require service guarantees so that carriers would be required to compensate customers when commitments are not met for appointments, installation of primary lines, and restoring service.[217] We decline to impose service guarantees at this time as a remedy for carriers' failure to meet service quality standards. Service guarantees are not currently required and this record does not establish that carriers generally fail to comply with existing GO 133-B standards, necessitating the imposition of service guarantees.[218]

5. Confidentiality Motions

AT&T filed a motion on April 1, 2003 for leave to file Attachment 3 of its comments under seal. Attachment 3 contains proprietary cost information, specifically proprietary labor rates and task times, that is sensitive, competitive data. The Commission has granted confidential treatment to such information in the past and will do so here. AT&T has requested that this information remain confidential indefinitely. The Commission usually restricts confidential treatment to two years. Although the request for confidentiality treatment was made six years ago, task times are proprietary internal information that should

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217 TURN 2007 Comments, at pp. 14-15. TURN recommends a credit of $30 if the four-hour appointment standard is not met, a $30 credit if a primary line is not installed within five days of receipt of the request, and $10 for each day out of service beyond the first 24 hours.

218 The Commission currently does not have an OOS repair interval, so AT&T has not failed to comply with a GO 133-B standard.

receive confidential treatment even if labor rates have been superseded. Thus, we will accord confidential treatment to this information for two years.

On May 14, 2007, DRA filed a motion to file under seal the Witteman declaration in support of DRA's comments regarding inclusion of wireless coverage maps as part of R.02-12-004. The declaration discusses matters and contains exhibits that the assigned ALJ in I.02-06-003 deemed confidential under GO 66-C and Pub. Util. Code § 583. The information should remain under seal for the same period of time the information remains under seal in I.02-06-003. Since the October 31, 2003 ruling in I.02-06-003 accorded confidentiality treatment for two years from the effective date of that ruling, confidentiality treatment has expired for the exhibits. Thus, DRA's motion is denied.

AT&T filed a motion on June 15, 2007 for leave to file under seal the proprietary and confidential Paragraph 3 of the Declaration of Yanita Koester in support of its reply comments. Paragraph 3 contains confidential, business-sensitive information regarding total labor costs and employee headcount calculations. The Commission has accorded confidential treatment to this type of information and will do so here. Paragraph 3 will remain under seal for two years after the effective date of this decision.

During the period for retaining confidential information under seal which we grant in response to the above AT&T motions, only the assigned commissioner, the assigned ALJ, the chief ALJ or the assistant chief ALJ shall view this information, except as agreed to by AT&T or ordered by a court of common jurisdiction. If AT&T believes it is necessary to keep this information under seal for longer than the approved period, it shall file a petition for modification at least 30 days prior to the expiration of this limited protective order.

6. Comments on Proposed Decision

The proposed decision of the Commissioner in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _________________, and reply comments were filed on _________________ by _____________________.

7. Assignment of Proceeding

Rachelle B. Chong is the assigned Commissioner and Janice Grau is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The Order Instituting Rulemaking noted existing service quality measures deserved review because they are both technologically outdated and inconsistently reported by carriers.

2. Wireless customer satisfaction surveys include J.D. Power and Associates, Consumer Reports, PC Magazine's Readers' Choice, Consumer's Checkbook, mindWireless, Mountain Wireless, the FCC, and the Better Business Bureau.

3. Wireline customer satisfaction surveys include J.D. Power and Associates (business), Consumer Reports, and American Consumer Satisfaction Surveys.

4. The FCC requires wireline customer satisfaction surveys per ARMIS Report 43-06. Not all carriers are required to file ARMIS data. The FCC is examining whether customer satisfaction reporting should continue and whether industry-wide reporting (including wireless, VoIP and IP-enabled carriers) of all service quality data should be required.

5. Some carriers conduct internal surveys. Verizon California Inc. gets detailed information about provisioning, repair, and request and inquiry.

6. GO 133-B requires all telephone utilities providing service in California to report on nine measures.

7. Consumer groups propose adoption of minimum service quality measures as consistent with statutory requirements, consumer protection, and health and safety. Businesses support that proposal.

8. GRC ILECs support continuation of GO 133-B service quality reporting.

9. URF carriers oppose service quality reporting as inconsistent with the competitive intermodal market.

10. The Commission has a statutory duty to ensure customers receive adequate service quality pursuant to Pub. Util. Code §§ 709, 2896 and 2897.

11. Continued service quality reporting at the FCC per ARMIS Report 43-05 is uncertain.

12. Parties agree that the following GO 133-B measures are outdated: held primary service orders, installation-line energizing commitments, dial tone speed and dial service.

13. The nationwide industry average for installation interval of five business days is met by small ILECs and exceeded by mid-sized and large ILECs.

14. The nationwide industry average for installation commitments of 95% is met by small ILECs and exceeded by mid-sized and large ILECs.

15. The existing trouble report standard is no more than six trouble reports per 100 lines and up to ten trouble reports for smaller central offices.

16. Carriers routinely exceed the existing trouble report standard.

17. The nationwide industry average for OOS repair intervals of 24 hours is met by large ILECs while small and mid-sized ILECs' performance is better than average.

18. Texas requires a carrier to clear 90% of OOS trouble reports within eight working hours and Illinois requires OOS troubles on basic service to be cleared within 24 hours.

19. Existing answer time standards separately measure toll operator, directory assistance operator, trouble report, and business office answer times.

20. Nineteen states do not regulate answer times.

21. Many issues with carriers can be resolved by a customer's choice of automatic menu options, although more complex issues may require a live representative.

22. Parties agree that answer time measures should be combined. Parties introduced evidence that directory assistance is a competitive offering and should no longer be included in answer time reporting. Parties introduced evidence that operator assistance has competitive alternatives and that reporting operator assistance answer time may provide little benefit to consumers.

23. TURN proposes a maximum goal of 60 seconds for answer time including calls related to billing, repairs, trouble reports, and other calls to the business center.

24. Estimated labor costs for reporting toll operator answer time were the least costly while reporting billing and non-billing related answer time estimates each was over 16 times as costly.

25. GRC ILECs are fully regulated as the monopoly providers in their service territories and are designated as COLR.

26. URF carriers operate in competitive markets that provide greater external pressure to ensure service quality and customer satisfaction.

27. DRA recommends that service quality measures only apply to URF carriers with 5,000 or more customers and to any smaller URF carriers that are COLRs.

28. The parties did not present precise costs for reporting service quality measures. Labor costs for reporting installation and maintenance measures are lower than for reporting answer time measures.

29. Installation and repair measures only apply to facilities-based basic local exchange services. Only facilities-based carriers have access to the underlying network.

30. ARMIS makes no distinction between primary and additional lines for reporting service quality data per ARMIS Report 43-05.

31. ARMIS makes no distinction between small and large business customers for reporting service quality data per ARMIS Report 43-05.

32. Parties support publishing carriers' service quality data.

33. The Commission's major service interruption reporting is governed by a 1977 Communications Division memo and does not apply to all carriers. It requires reporting of complete loss of inward and/or outward calling capability from a central office for periods in excess of 30 minutes for carriers with fewer than 10,000 primary stations and in excess of 10 minutes for carriers with more than 10,000 primary lines.

34. The FCC has a formalized outage reporting procedure for all providers.

35. Carriers file the following service quality reports with the Commission: (1) GO 133-B service measures; (2) GO 152 service measures, private line alarm services; (3) the major service interruption report; (4) MCOT; (5) quarterly subscriber complaint report-cramming/slamming; and (6) complaint response for general/disability telephone-related issues.

36. MCOT service quality reports were imposed by the FCC as conditions for two mergers in 1999 and 2000 in order to monitor service quality post-merger. The FCC discontinued MCOT reports in approximately 2002.

37. Consumer groups support wireless carriers providing street coverage maps to consumers.

38. Wireless carriers oppose providing detailed coverage maps. Detailed coverage maps are not intended to ensure customers that a particular call will go through.

39. Wireless carriers have entered into an agreement of voluntary compliance with Attorneys General from several states to provide maps depicting approximate wireless service coverage. Coverage maps would depict approximate outdoor coverage based on signal strength and signal strength confidence levels under normal operating conditions. California has not entered into this agreement.

40. J.D. Powers and Associates found in a 2008 formal study that the incidence of salespeople showing or providing customers with a local service area map had declined to 58%, down 16% from 2006.

41. In 2001, the Commission found that Pacific Bell Telephone Company d/b/a AT&T California's (AT&T) residential repair interval had increased between 1996 and 2000 and violated Pub. Util. Code § 451.

42. OOS repair interval reporting in GO 133-C is more stringent than the requirement set for AT&T in D.01-12-021.

43. GO 133-C permits a staff investigation to address any failure to achieve OOS repair interval service levels.

44. AT&T filed a motion on April 1, 2003 for leave to file attachment 3 to its comments under seal. Attachment 3 contains proprietary cost information.

45. DRA filed a motion on May 14, 2007 to file the Witteman declaration under seal. The declaration contains matters deemed confidential in I.02-06-003.

46. AT&T filed a motion on June 15, 2007 for leave to file under seal the confidential paragraph 3 of the Declaration of Koester. Paragraph 3 contains confidential business-sensitive information.

Conclusions of Law

1. It is premature to adopt an independent customer satisfaction survey as a component of service quality regulation under GO 133-C.

2. It is premature to address whether this Commission has jurisdiction to require service quality reporting for wireless, VoIP, and IP-enabled carriers. Thus, it is reasonable to exempt wireless, VoIP and IP-enabled carriers from service quality measures reporting.

3. It is reasonable to eliminate outdated service quality measures contained in GO 133-B.

4. GO 133-C is consistent with the Commission's statutory duty to ensure that telephone corporations provide customer service that includes reasonable statewide service quality standards, including, but not limited to, standards regarding network technical quality, customer service, installation, repair, and billing.

5. The record in this proceeding supports inclusion of five minimum measures in GO 133-C: (1) telephone service installation intervals (five business days); (2) installation commitments (95%); (3) customer trouble reports (six reports per 100 lines); (4) out of service repair intervals (24 hours); and (5) answer time (80% within 60 seconds related to trouble reports and billing and non-billing issues).

6. It is reasonable to apply the measures adopted to basic local exchange services.

7. GO 133-C is a reasonable response to the record developed in this proceeding.

8. It is reasonable to grant URF carriers a limited exemption from service quality reporting for installation and non-billing answer time standards.

9. It is reasonable to exempt URF carriers with fewer than 5,000 customers from service quality measures reporting, unless they are COLRs.

10. It is reasonable to exempt resellers from service quality measures reporting.

11. The incremental benefits of GO 133-C outweigh its incremental costs.

12. It is reasonable to require all carriers to report major service interruptions.

13. The Commission should adopt GO 133-C, attached to this decision as Attachment 1.

14. It is reasonable to publish carriers' reported service quality information since the information is public and could be helpful to customers.

15. It is reasonable to eliminate MCOT service quality reporting, which is outdated and inconsistent with the Commission's goal of more uniform and neutral reporting requirements.

16. It is reasonable to conform adopted requirements for wireless coverage map disclosure with disclosure requirements adopted in other states.

17. It is reasonable to require wireless carriers to provide coverage maps depicting approximate wireless service coverage applicable to the wireless service offered rate plans in printable format and to inform prospective customers that coverage maps are available.

18. AT&T's motions to file confidential information under seal should be granted. AT&T's Attachment 3 and Koester Declaration should remain under seal for two years from the effective date of this decision. During that two-year period, only the assigned commissioner, the assigned ALJ, the chief ALJ or the assistant chief ALJ shall view this information, except as agreed to by AT&T or ordered by a court of common jurisdiction.

19. DRA's motion to file under seal the Witteman declaration containing information deemed confidential in I.02-06-003 should be denied. Confidentiality treatment granted in I.02-06-003 has expired.

O R D E R

IT IS ORDERED that:

1. General Order 133-C is hereby adopted and shall replace General Order 133-B. A copy of General Order 133-C is attached to this decision as Attachment 1. The reporting requirements in General Order 133-C are addressed in Ordering Paragraphs 2 through 5.

2. Calaveras Telephone Company, Cal-Ore Telephone Co., Ducor Telephone Company, Global Valley Networks, Inc., Foresthill Telephone Co., Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Company, Pinnacles Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, The Volcano Telephone Company, and Winterhaven Telephone Company are subject to the following telephone service measures, as set forth in General Order 133-C: installation interval, installation commitments, customer trouble reports, out of service repair intervals, and answer time for trouble reporting and billing and non-billing inquiries.

3. Citizens Telecommunications Company of California d/b/a Frontier Communications of California, Pacific Bell Telephone Company d/b/a AT&T California, SureWest Telephone, Verizon California Inc. and the public utility telephone corporations that are Competitive Local Exchange Carriers (as maintained in the Communications Division "CLC" and "CLR" data base) are subject to the following telephone service measures, as set forth in General Order 133-C: customer trouble reports, out of service repair intervals, and answer time for trouble reporting and billing inquiries.

4. All public utility telephone corporations shall be subject to the major service interruption reporting requirements contained in General Order 133-C.

5. All wireless public utility telephone corporations shall be subject to the wireless coverage map requirements contained in General Order 133-C.

6. Pacific Bell Telephone Company d/b/a AT&T California and Verizon California Inc., which currently file Automated Reporting Management Information System Report 43-06 with the Federal Communications Commission, shall furnish the California-specific data to the Director of the Communications Division through December 31, 2011.

7. All public utility telephone corporations that the Federal Communications Commission orders to file Report 43-06 (or its successor report) shall furnish the California-specific data to the Director of the Communications Division.

8. Citizens Telecommunications Company of California d/b/a Frontier Communications of California, Pacific Bell Telephone Company d/b/a AT&T California, and Verizon California Inc., which file Automated Reporting Management Information System Report 43-05 with the Federal Communications Commission, shall furnish the California-specific data to the Director of the Communications Division.

9. All public utility telephone corporations that the Federal Communications Commission orders to file Report 43-05 (or its successor report) shall furnish the California-specific data to the Director of the Communications Division.

10. The Merger Compliance Oversight Team reporting requirements formerly required by Decision 03-10-088 are eliminated for Pacific Bell Telephone Company d/b/a AT&T California and Verizon California Inc.

11. Service quality reporting requirements shall continue as follows:

- Pacific Bell Telephone Company d/b/a AT&T California shall continue to report the California-specific information reported to the Federal Communications Commission in the Complaint Response form for general/disability telephone-related issues;

- Citizens Telecommunications Company of California d/b/a Frontier Communications of California, Pacific Bell Telephone Company d/b/a AT&T California, SureWest Telephone and Verizon California Inc., shall continue to report General Order 152 service measures, private line alarm as revised in Decision 88-11-018;

- Calaveras Telephone Company, Cal-Ore Telephone Co., Ducor Telephone Company, Global Valley Networks, Inc., Foresthill Telephone Co., Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Company, Pinnacles Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, The Volcano Telephone Company, Winterhaven Telephone Company, Citizens Telecommunications Company of California d/b/a Frontier Communications of California, Pacific Bell Telephone Company d/b/a AT&T California, SureWest Telephone, Verizon California Inc. and the public utility telephone corporations that are Competitive Local Exchange Carriers (as maintained in the Communications Division "CLC" and "CLR" data base) shall continue to report the Subscriber Complaint Report, cramming/slamming reporting requirements, as required in Decision 00-03-020, modified by Decision 00-11-015.

12. Pacific Bell Telephone Company d/b/a AT&T California shall cease to report out of service repair intervals formerly required by Decision 01-12-021.

13. Pacific Bell Telephone Company d/b/a AT&T California's motion for leave to file under seal a portion of the Koester declaration is granted and Paragraph 3 of the declaration shall remain under seal for two years after the effective date of this decision.

14. The Division of Ratepayer Advocates' motion to file under seal the Witteman declaration is denied.

15. Pacific Bell Telephone Company d/b/a AT&T California's motion for leave to file an attachment to its April 1, 2003 comments under seal is granted. Attachment 3 to its April 1, 2003 comments shall remain under seal for two years after the effective date of this decision.

16. If Pacific Bell Telephone Company d/b/a AT&T California believes it is necessary to keep the information under seal pursuant to Ordering Paragraphs 13 and 15 for longer than two years, it shall file a petition for modification at least 30 days prior to the expiration of the limited protective order.

17. Rulemaking 02-12-004 is closed.

This order is effective today.

Dated ____________________________, at San Francisco, California.

ATTACHMENT 1

General Order 133-C

Public Utilities Commission of the State of California

Rules Governing Telecommunications Services

Effective xxxx xx 2009

1. GENERAL

1.1 Intent.

a. Purpose. The purpose of these rules is to establish uniform minimum standards of service to be observed in the operation of public utility telephone corporations.

b. Limits of Order. These rules do not cover the subjects in the filed tariff rules of telephone utilities.

c. Absence of Civil Liability. The establishment of these rules shall not impose upon utilities, and they shall not be subject to, any civil liability for damages, which liability would not exist at law if these rules had not been adopted.

d. These rules may be revised in scope on the basis of experience gained in their application and as changes in technology, the telecommunications market, or technology may require.

1.2 Applicability. These rules are applicable to all public utility telephone corporations providing service within the State of California, except as otherwise noted.

1.3 Definitions.

a. Business Office – A centralized service group which receives small business and/or residential customer requests for new installations or changes in existing service. This does not include billing center inquiries.

b. Central Office Entity – A group of lines using common-originating equipment or under stored program control.

c. CLEC: A *Competitive Local Exchange Carrier* (CLEC), per Pub.Util. Code § 234, § 1001, and Decision 95-07-054, provides local telephone services in the service territories formerly reserved for Incumbent Local Exchange Carriers (ILECs), in competition with ILECs, and must obtain a Certificate of Public Convenience and Necessity (CPCN) from the Commission.

d. COLR: A *Carrier of Last Resort* (COLR) is required to serve upon request all customers within its designated service areas. Pursuant to Decision 96-10-066, a carrier seeking to be a COLR needs to file a notice of intent (NOI) with the Commission in order to have access to high cost fund subsidies. Once designated a COLR, the carrier must get the Commission's approval to opt out of its obligation to serve.

e. Commission – In the interpretation of these rules, the word "'Commission" shall be construed to mean the Public Utilities Commission of the State of California.

f. Commitment – The date agreed to by a customer and a utility for the completion of requested work.

g. Enhanced Services/Information Service Providers: The 1996 Telecommunications Act (47 U.S.C. § 153 (20) (2008)) distinguished between *information* service providers and *telecommunication* service providers. The former provide so-called Enhanced Services over transmission facilities where they employ computer processing applications that act on the format, content, code, protocol or similar aspects of the subscriber's transmitted information but where the information is not dependent on the telecommunications service beyond the delivery of it. Information services generate, acquire, store, transform, process, retrieve, utilize, or make available information *via* telecommunications, and these processes are considered separate from delivery. Information service providers do not need a CPCN and do not need to register if they do not provide telephone service in addition to their information services. Examples of enhanced/information services are internet access, voicemail, electronic messaging, and video conferencing.

h. ETC: *Eligible Telecommunications Carrier* (ETC) - A telecommunications carrier that has been designated by the Commission, pursuant to Resolution T-17002, as eligible to receive federal lifeline and/or high cost Universal Service support. Designated ETCs must file annual recertification advice letters to continue to be eligible for federal high cost fund support.

i. Facilities-based Carriers: Telephone companies that own switches and transmission facilities over which they provide telecommunications services (in contrast to non-facilities-based carriers which lease facilities from facilities based carriers). By Commission Decision D.95-12-057, facilities-based carriers must file an environmental assessment report and undertake mitigation efforts addressing any adverse environmental impacts associated with their construction activities under their CPCN.

j. Installation – The provision of telephone service at the customer's request.

k. GRC ILECs: A *General Rate Case Incumbent Local Exchange Carrier (GRC ILECs)* is designated a COLR in its franchise territories per D.96-10-66, the decision where the Commission spelled out what is meant by basic telephone service for purposes of Universal Service funding and is regulated through cost-of-service reviews by the Commission per General Order 96 B.

l. ILEC: An *ILEC* is a certificated local telephone company such as Pacific Bell Telephone Company (now d/b/a AT&T California) and Verizon California Inc., which used to be the exclusive local telephone service provider in a franchise territory established before the Telecommunications Reform Act of 1996. *See* Pub.Util. Code § 234 and § 1001.

m. Line – An access line (hardwire and/or channel) which provides dial tone and which runs from the local central office (Class 4/5, Class 5, or a remote) to the subscriber's premises.

n. Minimum Standard Reporting Level – A specified service level of performance for each measure and each reporting unit.

o. NDIEC: A *Non-Dominant Inter-Exchange Carrier* (NDIEC) or long distance carrier (IEC/IXC) is only required to register with the Commission before providing long distance telephone services in California, per Pub.Util. Code § 1013.

p. Out of Service – A telephone line without dial tone.

q. Telephone Company/Utility – A public utility telephone corporation providing public telephone service as further defined by Pub. Util. Code §§ 216 and 234.

r. Traffic Office – A group of operators which receives incoming calls from direct trunk groups or by means of an automatic distributing system.

s. Trouble Report – Any oral or written notice by a customer or customer's representative to the telephone utility which indicates dissatisfaction with telephone service, telephone qualified equipment, and/or telephone company employees.

t. URF Carrier – A utility that is a wireline carrier that has full pricing flexibility over all or substantially all of its rates and charges. A Uniform Regulatory Framework (URF) carrier includes any ILEC that is regulated through the Commission's URF, as established in Decision 06-08-030, as modified from time to time by the Commission, and includes CLECs and IECs.

u. URF ILECs – URF ILECs are distinguished from GRC ILECs in that they are currently granted pricing flexibility through D.06-08-030, which may be modified from time to time.

v. Wire Center – A facility composed of one or more switches (either soft switch or regular switch) which are located on the same premises and which may or may not utilize common equipment. In the case of a digital switch, all remote processors that are hosted by a central processor are to be included in the central office wire center.

w. Wireless Carrier. A *Wireless Carrier* (a Commercial Radio Service provider under Federal Communications Commission regulations) is a carrier or licensee whose wireless network is connected to the public switched telephone network (PSTN). Per Commission decision (D.94-10-031), wireless carriers are required to file a wireless identification registration with the Director of the Communications Division within the Commission.

1.4 Information available to the Public. The public utility telephone corporation shall maintain, available for public inspection at its main office in California, copies of all reports submitted to this Commission in compliance with these rules. These copies shall be held available for two years. The public utility telephone corporation shall identify the location and telephone number of its main office in California in its White Pages directory and/or on its Internet website and shall provide information on how to contact it. A copy of these reports will also be maintained and be available for public inspection at the Commission's San Francisco and Los Angeles offices. Copies shall also be made available to interested parties for a nominal fee to cover the cost of processing and reproduction. The availability shall be limited to reports provided by the local serving company.

1.5 Location of Records. All reports required by these rules shall be kept and made available to representatives, agents, or employees of the Commission upon reasonable notice.

1.6 Reports to the Commission. The public utility telephone corporation shall furnish to the Commission, at such times and in such form as the Commission may require, the results or summaries of any measurements required by these rules. The public utility telephone corporation shall furnish the Commission with any information concerning the utility's facilities or operations which the Commission may request and need for determining quality of service.

1.7 Deviations from any of these Rules. In cases where the application of any of the rules incorporated herein results in undue hardship or expense to the public utility telephone corporation, it may request specific relief by filing a formal application in accordance with the Commission's Rules of Practice and Procedure, except that where the relief requested is of minor importance or temporary in nature, the Commission may accept an application and showing of necessity by letter.

1.8 Revision of Rules. Public utility telephone corporations subject to these rules and other interested parties may individually or collectively file with this Commission a petition for rulemaking Pub. Util. Code § 1708.5 for the purpose of amending these rules. The petition shall conform to the requirements of Rule 6.3 of the Commission's Rules of Practice and Procedure.

2. STANDARDS OF SERVICE

2.1 General. These rules establish minimum standards and uniform reporting levels for the installation, maintenance, and operator answer time for telephone service. The service measures established are as follows:

Service Measure	***Type of Service***
Installation Interval	Installation
Installation Commitments	Installation
Customer Trouble Reports	Maintenance
Out of Service Repair Interval	Maintenance
Answer Time	Operator Services

2.2 Description of Reporting Levels. These levels have been established to provide customers information on how carriers perform. Minimum standard reporting levels are established for each of the service measures. Minimum standard reporting levels are applicable to each individual reporting unit.

3. MINIMUM TELEPHONE SERVICE MEASURES

3.1 Installation Interval – Applies to GRC ILECs.

a. Description. Installation interval measures the amount of time to install basic telephone service from the day and hour the customer requests service until it is established. When a customer orders basic service he/she may request additional features, such as call waiting, call forwarding, etc. If an additional feature is included in a basic service installation, the installation interval should only reflect the basic service installation.

b. Measurement. The average interval measured by summing each installation interval, expressed in business days, between the date the service order was placed and the date the service becomes operational during the current reporting period, divided by the total service orders during the reporting period. This amount excludes all orders having customer requested appointments (CRS) later than the utility's commitment dates.

c. Minimum Standard Reporting Level. Business Days. Five Business Days is the minimum standard.

d. Reporting Unit. Exchange or wire center, whichever is smaller. Wire centers with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch.

e. Reporting Frequency. The interval shall be compiled monthly and reported quarterly for all reporting units.

3.2 Installation Commitments – Applies to GRC ILECs.

a. Description. Requests for establishment of basic telephone services. Commitments will not be considered missed when resulting from customer actions.

b. Measurement. Monthly count of the total commitments and the commitments missed. Commitments met, expressed as a percent, will equal total commitments minus missed commitments divided by total commitments.

c. Minimum Standard Reporting Level. 95% commitments met.

d. Reporting unit. Exchange or wire center, whichever is smaller. A wire center with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch.

e. Reporting Frequency. Compiled monthly and reported quarterly.

3.3 Customer Trouble Reports – Applies to GRC ILECs and facilities-based URF Carriers with 5,000 or more customers and to any URF Carrier with fewer than 5,000 customers that is a COLR.

a, Description. Service affecting, and out of service trouble reports from, customers and users of telephone service relating to dissatisfaction with telephone company services. Reports received will be counted and related to the total working lines within the reporting unit in terms of reports per 100 lines.

b. Measurement. Customer trouble reports received by the utility will be counted monthly and related to the total working lines within a reporting unit.

c. Minimum Standard Reporting Level. Report number of trouble reports per 100 working lines (excluding terminal equipment reports). Six trouble reports per 100 working lines (excluding terminal equipment reports) is the minimum standard.

d. Reporting Unit. Exchange or wire center, whichever is smaller. A wire center with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch.

e. Reporting Frequency. Compiled monthly, reported quarterly.

3.4 Out of Service Repair Intervals – Applies to GRC ILECs and facilities-based URF Carriers with 5,000 or more customers and to any URF Carrier with fewer than 5,000 customers that is a COLR.

a. Description. A measure of the average interval, in hours from the time of the reporting carrier's receipt of the out of service trouble report to the time service is restored.

b. Measurement. The average interval, measured by summing each repair interval, expressed in clock hours, between the time the customer called to report loss of service and when the customer regains dial tone, divided by the total outage report tickets. This measurement excludes time when maintenance is delayed due to circumstances beyond the carrier's control. Typical reasons for delay include, but are not limited to: outage caused by cable theft, third party cable cut, lack of premise access when a problem is isolated to that location, absence of customer support to test facilities, or customer's requested appointment.

c. Minimum Standard Reporting Level. 24 hours is the set minimum standard.

d. Reporting Unit. Exchange or wire center, whichever is lesser. A wire center with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch.

e. Reporting Frequency. Compiled monthly and reported quarterly for those reporting units.

3.5 Answer Time for trouble reports and billing inquiries applies to GRC ILECs and facilities-based URF Carriers with 5,000 or more customers and to any URF Carrier with fewer than 5,000 customers that is a COLR. Answer Time for non-billing inquiries applies to GRC ILECs only.

a. Description. A measurement of time for the operator to answer within 60 seconds 80% of calls to the business office for billing and non-billing inquiries and to the repair office for trouble reports. A statistically valid sample of the answering interval is taken to obtain the percentage of calls answered within 60 seconds.

b. Measurement. An average answer time of a sample of the answering interval on calls to the business office and repair office that is representative of the measurement period.

c. Minimum Standard Reporting Level. 80% answered within 60 seconds when speaking to a live agent or 80% answered within 60 seconds when speaking to a live agent after completing an interactive voice response (IVR) or automatic response unit (ARU) system. If measurement data of average answer time is used, it will be converted to the percent answered within 60 seconds.

d. Reporting Unit. Each traffic office handling calls to the business office for billing and non-billing inquiry calls and to the repair office for trouble report calls.

e. Compiled quarterly and reported annually for percent answered within 60 seconds.

4. MAJOR SERVICE INTERRUPTION – Applies to all public utility telephone corporations.

a. Description. A service interruption is considered major if it meets any of the following conditions:

(i) A complete loss of inward and/or outward calling capability from a central office for periods in excess of 30 minutes for carriers with fewer than 10,000 lines.

(ii) A complete loss of inward and/or outward calling capability from a central office for periods in excess of 10 minutes for carriers with 10,000 or more lines.

(iii) Any outages that are caused by government declared catastrophic events including but not limited to states of emergency.

(iv) Any network or service interruption that results in media attention after the media contacts the utility or a media outlet reports the network or service interruption.

b. Reporting Procedures:

(i) Written reports are normally satisfactory. In cases where large numbers of customers are impacted or that are otherwise of great severity, a telephone report should be made promptly.

(ii) Initial reports shall be submitted to the Communications Division and the Division of Ratepayer Advocates or their successor divisions as promptly as possible after first acknowledgement of interruption or expected interruption.

(iii) Final reports shall be made confirming that service has been restored.

5. WIRELESS COVERAGE MAPS – Applies to all public utility telephone corporations that are wireless carriers.

5.1 Description: Wireless coverage maps show where wireless phone users may expect signal strength adequate to assure the ability to place and receive calls when outdoors under normal operating conditions.

5.2 Requirements. Wireless carriers shall provide coverage maps on their websites and at retail locations.

a. Wireless carriers shall make coverage information available online and at retail locations to prospective customers. Coverage information provided at retail locations can be no less detailed than coverage information provided on the carriers' websites. Wireless carrier representatives at retail locations shall inform prospective customers that coverage maps are available.

b. Wireless carriers shall provide coverage maps depicting approximate wireless service coverage applicable to the wireless service offered rate plans.

6. RECORDS AND REPORTS

6.1 Reporting Units. Service measurements shall be maintained by reporting units. Reporting units are exchange, central office entity, wire center, traffic office, trouble report service office, or business office as required.

The reporting unit for each service measure is defined in Section 3.

6.2 Reporting Requirements. Reports shall be made to the Director of Communications Division of the Commission on January 2nd, April 1st, July 1, and October 1, for all reporting units for the non-answer time minimum telephone service measures. The answer time measure shall be reported on April 1st annually. Service interruption shall be reported when it is considered a major interruption as defined in Section 4. Reports to the Commission of performance not meeting the reporting level shall state the levels of service for each service measure and the months being reported. Reports on reporting units for two or more consecutive quarters shall also include a description of the performance at the reported level, a statement of action being taken to improve service, and the estimated date of completion of the improvements.

6.3 Retention of Records. Quarterly summary records of service measurements for each reporting unit shall be retained for three years. All major service interruption reports shall be retained for three years. All summary records shall be available for examination by Commission representatives during the retention period and special summaries of service measurements may be requested by the Commission.

6.4 Commission Staff Reports. The staff may compile and post the minimum service standards and the performance of each carrier on the Commission's website.

7. STAFF INVESTIGATIONS AND ADDITIONAL REPORTING REQUIREMENTS

Commission staff may investigate any reporting unit that does not meet a minimum standard reporting level and any major service interruption. Staff may recommend the Commission institute a formal investigation into a carrier's performance and alleged failure to meet the reporting service level for six or more consecutive months. Staff may require carriers with two or more measures below the reporting service level in one year or one measure below the industry average to present proposals to improve performance and to report monthly if poor performance continues.

8. FORMS

The attached forms are templates for reporting GO 133-C Service Quality Standards and Major Telephone Service Interruptions. The staff may change these forms as necessary.

ATTACHMENT 2
PARTIES THAT FILED COMMENTS IN 2003

Initial Comments filed April 1 and 2, 2003

Filing Date	Party
April 2, 2003	AARP
April 1, 2003	NCLC
April 1, 2003	Nextel of California
April 1, 2003	AT&T Advanced Solutions
April 1, 2003	California Cable and Telecom Assn
April 1, 2003	Sprint Spectrum, Sprint Telephony PCS
April 1, 2003	Working Assets Funding Service, Working Assets Wireless, Inc.
April 1, 2003	SureWest
April 1, 2003	AT&T
April 1, 2003	Qwest Communications
April 1, 2003	Small LECs
April 1, 2003	DRA
April 1, 2003	Frontier
April 1, 2003	Cricket Communications
April 1, 2003	AT&T Wireless Services
April 1, 2003	Verizon Wireless
April 1, 2003	TURN
April 1, 2003	Cellular Carriers Assn of Cal
April 1, 2003	Cox California Telcom
April 1, 2003	Cal Small Business Assn, Cal Small Business Roundtable,
April 1, 2003	FEA/DOD
April 1, 2003	Mpower Communications

Reply Comments filed May 5 and 6, 2003

Filing Date	Party
May 6, 2003	NCLC
May 5, 2003	Verizon
May 5, 2003	AT&T Wireless Services
May 5, 2003	Allegiance Telecom Of California,
May 5, 2003	Working Assets Funding Service
May 5, 2003	FEA/DAD
May 5, 2003	California Small Business Assn, Cal Small Business Roundtable
May 5, 2003	Omnipoint Communications
May 5, 2003	TURN
May 5, 2003	CPSD
May 5, 2003	DRA
May 5, 2003	SureWest
May 5, 2003	West Coast P.C.S.
May 5, 2003	Frontier
May 5, 2003	Small LECs
May 5, 2003	Cellular Carriers Assn of Cal
May 5, 2003	Verizon Wireless
May 5, 2003	Communication Workers of America, District 9
May 5, 2003	Sage Telecom

May 5, 2003 Foundation for Taxpayer and Consumer Rights
May 5, 2003 AT&T
May 5, 2003 Nextel of California
May 5, 2003 California ISP Association
May 5, 2003 Level 3 Communications
May 5, 2003 AT&T Communications of Cal, Cal Association Of Competitive Telecom Companies, Cal Telecommunications Coalition: Assn of Comm Ents, Comcast Phone of Cal, Cox Cal Telcom, Pac-West Telecomm, Sprint Communications, Time Warner Telecom of Cal, Worldcom, XO California (Coalition)
May 5, 2003 Sprint
May 5, 2003 ISP/VOIP Coalition Net2phone.
May 5, 2003 AARP

(END OF ATTACHMENT 2)

ATTACHMENT 3
OIR PROPOSED SERVICE QUALITY MEASURES

Service Quality Measures		
Service Category	Service Quality Measure	Existing Source/ Authority
Installation	1. Held Access Line Service Orders	GO 133B, MCOT (under D.03-10-088)
	2. Installation Commitments Met for Access Line Orders	GO 133B, MCOT, ARMIS
	3. Installation Commitments Met for Other-Than Access Line Orders	None
	4. Installation Interval for Access Line Service Orders	ARMIS
	5. Installation Intervals for Other-Than Access Line Service Orders	None
	6. Percent of Access Line Installations Completed Within 5 Working Days	MCOT
	7. Access Line Installation Trouble Report Clearing Time	None
	8. Access Line Installation Trouble Report Out-of-Service Clearing Time	None
	9.Access Line Installation Trouble Report Commitments Met	None
Maintenance	10. Customer Trouble Reports	GO 133B, ARMIS
	11. Repeat Out-of-Service Trouble Reports	ARMIS
	12.Repeat Other-Than-Out-of-Service Trouble Reports	ARMIS
	13. Initial Out-of-Service Trouble Report Clearing Time	MCOT
	14. Repeat Out-of-Service Trouble Report Clearing Time	MCOT
	15. Initial Out-of-Service Clearing Time Commitments Met	MCOT
	16. Repeat Out-of-Service Clearing Time Commitments Met	MCOT
	17. Other-Than Out-of-Service Clearing Time Commitments Met	MCOT
	18. Initial Out-of-Service Repair Interval	ARMIS
	19. Repeat Out-of-Service Repair Interval	ARMIS
	20. Other-Than Out-of-Service Repair Interval	ARMIS, MCOT
	21. Total Four-Hour Appointment Requests	Civil Code § 1722(c)(1)
	22. Four-Hour Appointment Commitments Met	Civil Code § 1722(c)(1)
	23. Major service interruptions	1977 Communications Division requirement; D.96-02-072

Customer Services (Operator, DA, Repair and Business Offices)	24. Toll Operator Answering Time	GO 133 B
	25. Directory Assistance Operator Answering Time	GO 133 B
	26. Trouble Report Service Answering Time	GO 133 B
	27. Business Office Answering Time - Non-Billing-Related	GO 133 B
	28. Business Office Answering Time - Billing Inquiries	None
	29. Percentage of abandoned calls	MCOT
	30. Percentage of blocked calls	MCOT

(END OF ATTACHMENT 3)

ATTACHMENT 4

Current Service Quality Monitoring Reports

	AT&T	Verizon	SureWest	Frontier	GRC ILECs	CLECs	ETCs
Filed with CPUC							
GO 133 B Service Measures	√	√	√	√	√	√	√
GO 152 Service Measures - Private Line Alarm	√	√	√	√			
Major Service Interruption Report	√	√	√	√	√	√	√
MCOT	√						
Quarterly Subscriber Complaint Report -- Cramming/Slamming	√	√	√	√	√	√	
Complaint Response for General/Disability Telephone-Related Issues	√						
NARUC Report		√					
Filed with FCC							
ARMIS 43-05, Service Quality Report	√	√		√			
ARMIS 43-06, Customer Satisfaction Report	√	√					
Network Outage Report (NORS)	√	√	√	√	√	√	√

(END OF ATTACHMENT 4)