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January 7, 2000

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL. 32399

Re: Docket No. 99-1651-PU, Revision of Rule, F.A.C. Customer Complaints

Dear Ms. Bayo:

Enclosed for filing please find an original plus five copies and a diskette in Word format of the response of ALLTEL Florida, Inc., GTC Communications, Inc., Northeast Telephone Company, TDS Telecom/Quincy Telephone Company, and Vista-United Telecommunications, (herein after referred to as "Small LECs"), to the above reference rule.

Questions regarding this filing may be directed to me at (850) 875-5207.

Sincerely,



Thomas M. McCabe  
Manager-External Relations  
TDS TELECOM/Quincy Telephone Company

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00309 JAN-78  
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## Before the Florida Public Service Commission

Docket No. 99-1651-PU  
Revision of Rule 25-22.032,  
F. A. C. Customer Complaints

ALLTEL Florida, Inc., GTC Communications, Inc., Northeast Telephone Company, TDS Telecom/Quincy Telephone Company, and Vista-United Telecommunications, (herein after referred to as "Small LECs") hereby submit their comments in response to the Florida Public Service Commission (FPSC) rule development workshop concerning customer complaints. The small LECs support the Commission's intent that disputes between regulated companies and their customers be resolved as quickly, effectively, and inexpensively as possible. However, the small LECs do not believe that the proposed rule, especially the requirement to provide a transfer connect (warm transfer), will achieve this goal for our customers.

### **25-22.032(2)(a) and (b) Transfer-connect Requirement**

The small LECs recommend that the Commission omit the section referring to the transfer-connect requirement from the proposed rule. Based on the comments shared at the November 19, 1999 rule workshop, there appears to be little evidence to suggest that there will be any measurable benefits by mandating this requirement on small utilities, especially the small incumbent LECs. Furthermore, the small LECs believe that the transfer-connect program is not cost-effective based on the operations of small LECs and the number of complaints or inquiries initiated by customers served by small LECs. The small LECs recommend that the Commission continue the transfer connect program on a voluntary basis for all regulated utilities. However, if the Commission believes that the proposed transfer-connect requirement is necessary, the small LECs recommend that the Commission exclude those incumbents LECs with less than 100,000 access lines prior to July 1, 1995, from the proposed requirement.

In evaluating whether the proposed transfer-connect requirement will provide the intended benefits, the Commission should consider the number of inquiries initiated by customers served by particular classes of regulated utilities and the number of consumers that may potentially benefit. The small LECs provide service to less than 2% of all access lines operating in the State. In fact, based on the Commission's latest competition report, the Alternative Local Exchange Carriers (ALECs) serve more customers than the small LECs. The small LECs believe that the current voluntary transfer-connect program has worked effectively and there is no need to mandate this requirement via rule for local exchange companies. The three large LECs are all participating in the program and these companies represent over 90% of all access lines. Furthermore, based on the Commission's Consumer Assistance & Protection Report for the fiscal year July 1998-June 1999, the small LECs accounted for a total of 44 inquiries of which only 4 were apparent infractions. Additionally, 5 of the 7 small LECs, each had 5 or less inquiries.

The total consumer savings associated with these inquiries were approximately \$1,300. This evidence would suggest that there would be no measurable benefits to the Commission or the small LECs by providing a warm line transfer.

#### Cost for Transfer-Connect

The small LECs support the Commission's intent to resolve customer inquiries as quickly and inexpensively as possible. However, the small LECs do not believe that the transfer-connect service is a cost-effective solution for small utilities that experience a limited number of inquiries. Based on the presentation by AT&T, the cost of the service offered by AT&T is approximately \$240 to \$260 annually. However, the comments shared by the large utilities that are providing this service on a voluntary basis indicate that the actual cost is much greater.

All of the large utilities participating in the transfer-connect service indicated that they have separate staff handling inquiries received through the transfer-connect program. The small LECs, with limited staffing, do not believe that offering this service would be cost-effective. Based on the limited number of complaints initiated by small LEC customers, it would be inefficient to hire new personnel or to rearrange the job responsibilities of the current staff, which would be necessary if we are required to provide this service. For example, based on the limited number of complaints, it would not be cost justified for any of the small LECs to hire additional personnel. Therefore, in order to handle calls that are transferred to the company, it will be necessary to assign specific staff members to answer any calls received over the transfer-connect line. However, in all likelihood, the customer service representative will probably already be working with another customer either in person or by phone. This will result in the customer service representative placing the current customer on hold in order to respond to the transfer-connect call. We believe that this situation has the potential to negatively impact the high level of customer service that we all strive to provide.

#### Waivers

In response to the comments offered by the small utilities, it was suggested that the proposed transfer-connect requirement remain in place and individual utilities could file request for waiver of the transfer-connect requirement. The small LECs believe this approach will result in an inefficient and time-consuming use of Commission and company resources. Based on the comments shared by the small utilities, it is reasonable to assume that the majority if not all, of the small utilities will file petitions for waiver of this requirement. The small LECs believe that eliminating this requirement on the front end of this rule proceeding will save the small utilities unnecessary legal expenses and will not over burden the Commission's workload.

#### **25-22.032(3) Complaints resolved within three (3) days**

As indicated in the Commission's Consumer Assistance & Protection Report, the small LECs have very few customer inquiries or complaints. In most cases, when the

Commission sends a complaint to the company to investigate it is typically handled on the same day. However, the small LECs recommend that the Commission amend the proposed rule to five (5) business days. The small LECs, with limited staff, believe that there may be situations whereby the three-day time period may be difficult to meet. For example, in most cases, the customer service supervisor typically investigates all customer inquiries sent by the Commission. With limited staffing, this process usually does not change when the supervisor is out of the office for a few days whether on business or sick leave. When these situations occur, meeting the three-day window may be difficult.

### **Conclusion**

The small LECs support the intent of the proposed rule. However, we believe that the rule as it currently exists will not be cost-effective for small LECs and will not provide any measurable benefits to the Commission, companies or customers served by the small LECs. We recommend that the Commission eliminate the transfer-connect requirement and leave the transfer-connect program on a voluntary basis. Furthermore, we do not believe that it is necessary to propose a rule that would require companies that have X number of complaints per year to provide the transfer-connect service. If the Commission believes that the number of complaints for a particular company has increased significantly we believe that the Commission should first contact the company and request that they voluntarily provide the service.

At a minimum, the small LECs recommend that the Commission amend the proposed rule to exclude all LECs with less than 100,000 access lines in service on July 1, 1995 from the proposed rule. Also, we recommend that the Commission amend the requirement that complaints be resolved within three (3) days to five (5) business days. We believe that the three (3) days response time may be difficult to meet under certain situations.