

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

**Date:** 8/14/2006 **Docket No.:** 060553-TL

**1. Division Name/Staff Name:** Cmp/Curry

**2. OPR:** K. Curry, C. Lewis

**3. OCR:**

**4. Suggested Docket Title:** Investigation and determination of appropriate method for issuing Service Guarantee Credits to all affected customers of Embarq Florida, Inc.

**5. Suggested Docket Mailing List (attach separate sheet if necessary)**

- A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
- B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)

**1. Parties and their representatives (if any):**

Embarq Florida, Inc. (TL727)	

**2. Interested persons and their representatives (if any):**


**6. Check one:**  
 Documentation is attached.  
 Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE

07276 AUG 14 8

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**EMBARQ™**

Embarq Corporation  
Mailstop: FTLHQ0201  
1313 Blair Stone Road  
Tallahassee, FL 32301  
EMBARQ.com

August 10, 2006

Rick Moses, Chief  
Bureau of Telecommunication Service Quality,  
Certification and Enforcement  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0866

RE: Embarq Florida, Inc. 2005 Service Quality Evaluation

Dear Mr. Moses:

This is follow up correspondence confirming the number of customers and amount of Service Guarantee Program (SGP) related credits to be manually applied as a result of the two instances described below.

**Service Installation Credits**

The misses observed by Staff during the evaluation were attributed to two system application errors. It appears both situations resulted from system changes that occurred when modifications were being made to satisfy data gathering requirements associated with implementation of the new service rules in April 2005. However, the second situation would not have impacted application of SGP credits to customers until the implementation of the new SGP on September 1, 2005.

- The first situation, where an installation due dated for a Friday and worked on the following Saturday, Sunday or a Monday holiday (greater than 3-business days), will require approximately 120 hours of programming to fix and is already in the process of being addressed with completion scheduled by the end of September 2006 (during the interim credits are being applied manually). Furthermore, research revealed that 389 customers were impacted between September 1, 2005, and May 31, 2006, with credits totaling \$9,725. Once the Commission has determined the amount of interest due each customer, the applicable credit will be promptly applied to the respective accounts.

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DIVISION OF  
COMPETITIVE SERVICES

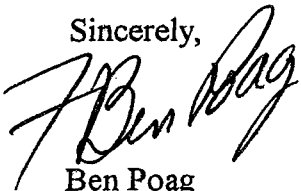
**F. B. (Ben) Poag**  
DIRECTOR - REGULATORY AFFAIRS  
Voice: (850) 599-1027  
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- The second situation involves installation appointments where arrival within a narrow two hour and ten minute appointment window is missed yet the installation is completed on the respective due date, no credit was applied. As observed by Staff, if the actual due date was missed, an SGP credit was automatically applied. Programming to apply a \$25 SGP credit for situations where an appointment 2 hour and 10 minute time window is missed for a day 3 or greater installation interval is in progress. Exceptions would be for installations where the purpose of the appointment is to accommodate the installation of inside wire/jacks and/or DSL service arrangements. The only other exception would be installations associated with a delay due to a work order/activity to provide additional facilities. Due to the complexity of the associated systems the programming solution would need to interface with it is currently estimated it will take approximately six months to accomplish. In the mean time, a laborious manual process will be utilized to ensure qualifying customers receive a SGP credit.

A review of the records reflects that between September 1, 2005, and June 30, 2006, there were 1,489 customers qualifying for an installation appointment related SGP credit for a grand total of \$37,225. Once the Commission has determined the amount of interest due each customer, the applicable credit will be promptly applied to the respective accounts.

It is Embarq's desire for the automated aspect of the SGP to consistently function as intended. Therefore, given the complexity of the SGP interactive programming with other results related tracking systems, going forward it is our intent to conduct an annual review of the credit applications for both repair and installations. The review will be conducted approximately six months prior to the Commission's normally scheduled annual service evaluation resulting in a review by the Commission Staff and one by Embarq each year.

Sincerely,



Ben Poag  
Director - Regulatory Affairs

cc: Harvey Spears  
Ray Kennedy  
Clayton Lewis

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
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KATRINA J. TEW

STATE OF FLORIDA



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

## Public Service Commission

July 14, 2006

Mr. Ben Poag  
Director-Regulatory Affairs  
Embarq Florida, Inc.  
MC FLTLHO0107  
P. O. Box 2214  
Tallahassee, FL 32316-2214

**Re: Service Evaluation-2005**

Dear Mr. Poag:

Staff performed an evaluation of the service quality in the Arcadia, Avon Park, Lake Placid, Okeechobee, Sebring, and Spring Lake exchanges during the period of October 17, 2005, through November 10 2005. We revised the draft evaluation report to reflect the corrective actions reported in your response. Enclosed is a copy of the final service evaluation. Your results will be posted on the Commission's website and can be found by visiting the web address listed as follows:

<http://www.floridapsc.com/industry/telecomm/servicequal/index.cfm>

During the evaluation, staff found discrepancies with Embarq's issuance of out-of-service rebates as well as the Service Guarantee Program (SGP) credits. Some of these missed rebates were attributed to the use of an "exclusionary code that no longer applied under the April 1, 2005, revised service rules." Two separate causes were listed for the missed SGP credits.

The response stated the first situation "will require approximately 120 hours of programming to fix" and is scheduled for completion by September 26, 2006. Embarq determined there were 389 customers affected by the programming problem which totaled \$9,725 in missed credits. Exchanges associated with Force Majeure resulting from hurricane Wilma were excluded from the tabulation. Staff will recommend to the Commission that Embarq directly credit the 389 customers with interest.

The second situation involved instances when SGP credits were not given for a missed appointments because the installation was beyond the time frame agreed upon on the due date. On July 10, 2006, Embarq stated it is working "to identify and implement an automated process to accommodate the application of SGP credits for missed appointments. Due to the complexity of the systems, it is estimated the programming solution will take approximately six months to accomplish.

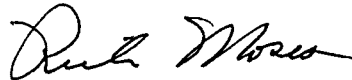
Page 2 of 2  
Mr. Ben Poag  
July 14, 2006

In the mean time, a manual process will be utilized to ensure the qualifying customers receive a SGP credit.”

By July 31, 2006, Embarq stated it will complete the process of identifying the instances of missed appointment credits between April 1, 2005 and June 30, 2006, and will provide this information to the Commission for calculation of applicable interest. Embarq determined the problem started on April 1, 2005, when programming changes were implemented. Once the interest information is received the appropriate amount of credit will be promptly applied to the respective customer accounts. Approval of this refund method will be requested of the Commission. Thereafter, the applicable SGP credits will be posted to the affected customer accounts at the end of each month until an automated solution is implemented.

If you have any questions, please contact Clayton Lewis at (850) 413-6578 or Penny Davis at (850) 413-6518.

Sincerely,



Rick Moses, Chief  
Bureau of Telecommunications Service Quality,  
Certification and Enforcement

Enclosure

cc: Office of Public Counsel  
Dr. Mary Bane  
Chuck Hill  
Beth Salak  
Dale Mailhot  
Penny Davis, Clayton Lewis  
File: TL727 EMBARQ Florida, Inc. 2005 Service Evaluation TMS 2209