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UTILITIES COMMISSION

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Attorney for the Commission Staff

## **BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE PETITION OF</b>	)	
<b>CITIZENS TELECOMMUNICATIONS OF</b>	)	<b>CASE NO. CTC-T-08-2</b>
<b>IDAHO FOR EXEMPTION FROM RULE</b>	)	
<b>201(2), IDAPA 31.41.01.201.02.</b>	)	<b>COMMENTS OF THE</b>
	)	<b>COMMISSION STAFF</b>
	)	

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**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Kristine A. Sasser, Deputy Attorney General, and in response to the Notice of Petition and Notice of Modified Procedure issued in Order No. 30593 on July 9, 2008 in Case No. CTC-T-08-2, submits the following comments.

### **BACKGROUND**

On June 24, 2008, Citizens Telecommunications of Idaho dba Frontier Communications of Idaho (Citizens) filed a request with the Commission, pursuant to IDAPA 31.41.01.009, seeking a permanent exemption from a provision of the Commission's Telephone Customer Relations Rule 201, IDAPA 31.41.01.201. Specifically, the Company seeks an exemption from Rule 201.02 requiring itemization of long-distance usage and charges.

The Company maintains that it offers service plans for unlimited long-distance calls at a flat rate. The Company requests discontinuance of itemized billing for its flat rate long-distance customers only. Customers who do not subscribe to a flat rate toll plan and pay for long-distance

services based on time and distance of individual calls would continue to receive itemized billing in accordance with Rule 201.02, IDAPA 31.41.01.201.02.

The Petition states that customers who wish to receive call detail for the unlimited plans may do so by contacting the Company's customer service center. In addition, the Company intends to make no less than 12 months of detailed billing statements available to its customers at no charge.

The Company asserts that providing the details of each call adds significant printing and postage charges, makes the bills more cumbersome, and provides information that most customers do not need or want. Citizens contends that denying its Petition would result in hardship to the Company, which is attempting to improve customer service by reducing costs and simplifying billing. *See* IDAPA 31.41.01.009.

## **STAFF ANALYSIS**

Staff supports Citizens' request for a permanent exemption from Rule 31.41.01.201.02 of the Telephone Customer Relations Rules. The Company offers customers optional flat-rated, unlimited usage toll calling plans. Offering a variety of billing options and calling plans to customers is an essential component of good customer service. Staff believes it is important that customers for a reasonable period of time be able to obtain detailed billing information if necessary. The Company indicates it will provide call detail for at least twelve consecutive months upon request by customers whose regular billing statements lack that information.

Staff determined that as of January 2008, the Company discontinued providing information on individual toll calls as required by Rule 201. At some point prior to that date, Citizens decided that it was unnecessary to continue providing call detail to any of its customers who subscribed to flat-rated, unlimited usage toll calling plans. When Staff became aware of this change, it advised the Company of the rule violation and the need to seek a rule exemption if it wished to continue this billing practice. Because the Company ceased to provide call detail on January 1, 2008, it informally requested that the approval date for the rule exemption be made retroactive to that date.

Although Staff supports the Company's request for an exemption in this instance, it is unfortunate that the Company undertook a significant change to its billing system, affecting customers throughout its nationwide service territory, without questioning whether such a change

was permissible in Idaho. Staff recognizes that on January 26, 2007, Citizens filed a Notice of Election to be regulated under the terms of *Idaho Code* § 62- 604 and exempted from normal price regulation under Title 61. However, the Commission retains authority over non-economic regulatory requirements “including, but not limited to, such matters as service quality standards, provision of access to carriers providing [long-distance] service, filing of price lists, customer notice and customer relation rules, and billings practices and procedures.” *Idaho Code* § 62-605(5)(b). Staff recommends that the Commission remind the Company of its continuing obligation to comply with Commission rules and, if necessary, seek an exemption *in advance* of changing long-standing policies and operating procedures.

## RECOMMENDATIONS

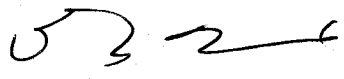
Staff recommends that the Commission:

Grant Citizens a permanent exemption to Rule 201.02, IDAPA 31.41.01.201.02 with respect to customers who subscribe to flat-rated, unlimited toll calling plans with the condition that, upon customer request, the Company make call detail available without charge for a period covering a minimum of twelve consecutive months prior to receipt of the request;

Specify an effective date of January 1, 2008, for the exemption as requested informally by the Company;

Remind the Company of its continuing obligation to comply with Commission rules and, if necessary in the future, seek an exemption *in advance* of changing long-standing policies and operating procedures.

Respectfully submitted this 30<sup>th</sup> day of July 2008.

  
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Kristine A. Sasser  
Deputy Attorney General

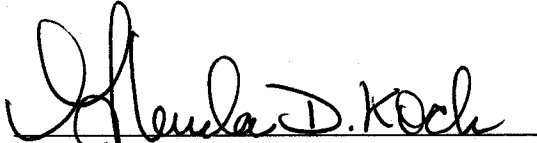
Technical Staff: Beverly Barker

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 30<sup>TH</sup> DAY OF JULY 2008,  
SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE  
NO. CTC-T-08-02, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE  
FOLLOWING:

INGO HENNINGSEN MGR  
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SECRETARY

CERTIFICATE OF SERVICE