

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE COMMISSION'S)	
REVIEW OF THE TELEPHONE)	CASE NO. GNR-T-09-03
CUSTOMER RELATIONS RULES, IDAPA)	
31.41.01.000 <i>ET SEQ.</i>)	NOTICE OF
)	NEGOTIATED RULEMAKING
)	
)	ORDER NO. 30802

Recently a customer of Qwest Corporation filed an informal complaint with the Commission's Consumer Division regarding Qwest's practices for billing customers who choose to pay by electronic funds transfer. The customer complained that Qwest's electronic billing does not comply with Commission Rules. Specifically, Rule 201 of the Commission's Telephone Customer Relations Rules requires that a due date be stated on customer bills. IDAPA 31.41.01.201. For customers who choose to pay their bill by electronic debit to their credit card, Qwest's monthly statement shows the amount that will be charged to the customer's credit card approximately three to five days following the bill date, but does not state a separate due date. Qwest stated in response to the customer's complaint that there is no due date on the statement, because "there is nothing for the customer to do." Qwest asserted the requirement in Rule 201 that the bill contain a due date does not apply in this situation because "these customers – at their option – have made other arrangements in advance for payment of the bill."

Staff reviewed the customer's complaint and Qwest's response in light of the requirements of the Commission's Telephone Customer Relations Rules. Staff identified another potential billing issue in Rule 202. Rule 202 specifies a minimum amount of time a telephone utility must allow for payment of bills following the billing date, but the rule does not specifically address the timing for automatic payment transactions. IDAPA 31.41.01.202. Staff recommended the Commission initiate a rulemaking procedure to consider these and other issues that may require updating the Commission's Telephone Customer Relations Rules.

DISCUSSION

Rules 201 and 202 of the Telephone Customer Relations Rules became effective in July 1993. At that time, most if not all telecommunications customers paid their utility bills by check mailed to the utility company. Accordingly, the Commission's Telephone Customer

Relations Rules do not address issues that may be different for electronic payment methods now available to customers.¹ The Commission has determined it is appropriate to initiate a review of the Telephone Customer Relations Rules and to update our rules to comport with the changes that have occurred in the telecommunications industry since 1993. By this Order, the Commission directs the Staff to schedule and convene public workshops to review the Telephone Customer Relations Rules and propose amendments to our rules.

To address the customer complaint, the Commission finds there is a sufficient record to act on the complaint. The Commission finds it is appropriate to grant Qwest and other telecommunications companies a temporary exemption from the requirements of Rules 201 and 202 requiring customer bills to state a due date and minimum processing time for customers who elect to participate in electronic billing and to pay by automatic transfer of funds, pending completion of the rules review.

ORDER

IT IS HEREBY ORDERED that the Commission initiate a negotiated rulemaking process to review its Telephone Customer Relations Rules, IDAPA 31.41.01.000 *et seq.* Staff is directed to develop a schedule for public workshops and provide notice to telecommunications companies and public interest entities that may want to participate in the rulemaking process.

IT IS FURTHER ORDERED that telephone companies that receive payments by customers using automatic transfer of funds are temporarily exempt from the requirements of IDAPA 31.41.01.201 and .202 requiring a due date and a minimum processing period on the billing statement, pending completion of the review of the Commission's Telephone Customer Relations Rules.

IT IS FURTHER ORDERED that persons desiring to participate in the negotiated rulemaking to review the Commission's Telephone Customer Relations Rules should notify the Commission Secretary to be placed on the service list to receive notices of public workshops.

¹ The Commission has previously authorized electronic billing for telecommunications services in Order Nos. 29893 and 29914.

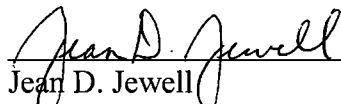
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 12th
day of May 2009.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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