

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE COMMISSION’S)
REVIEW OF TELEPHONE CUSTOMER) **CASE NO. GNR-T-12-03**
RELATIONS RULE 502, IDAPA 31.41.01.502)
) **NOTICE OF RULE REVIEW**
) **NOTICE OF WORKSHOP**
) **APRIL 30, 2012**

YOU ARE HEREBY NOTIFIED that on December 22, 2011, Qwest Corporation dba CenturyLink QC, CenturyTel of Idaho, Inc. dba CenturyLink, and CenturyTel of the Gem State, Inc. dba CenturyLink (the CenturyLink Companies or CenturyLink) filed a Petition requesting an exemption from the Commission’s Telephone Customer Relations Rule 502 (IDAPA 31.41.01.502). Rule 502 establishes standards for a telephone company to restore basic local service after an outage, and requires payment of customer credits when standards are not met. The rule was initially adopted in 1993, and CenturyLink asserts in its Petition that changes in the telecommunications industry in Idaho since the rule was adopted make the rule obsolete. Petition, p. 2. CenturyLink contends the rule now creates unusual and unreasonable hardships in a competitive marketplace that did not exist when the rule was adopted.

YOU ARE FURTHER NOTIFIED that CenturyLink asserts that when Rule 502 was adopted, incumbent local telephone providers were the predominant providers of local telecommunications service. Very few customers used wireless service and most had no alternative resource for voice communication in the event of an outage. Petition, p. 3. The development of alternative telecommunications technology, and changes in laws to encourage competition in telecommunications markets, has significantly altered the local telecommunications business. Petition, pp. 3-4. CenturyLink points out that the competitors in the marketplace, including wireless, cable and VoIP providers, are not subject to the Commission’s service performance rules. CenturyLink contends this disparity in treatment between its companies and the competitors creates for CenturyLink an “unusual or unreasonable hardship that justifies an exemption to the rule.” Petition, pp. 6-7.

YOU ARE FURTHER NOTIFIED that Rule 502, under most circumstances, requires a telephone company to restore local service within 24 hours after an outage is reported to the

company. IDAPA 31.01.41.502.01.b. If a telephone company does not restore service within the time required by the Rule, the company must credit the customer's account for an amount equal to the monthly rate for one month of local exchange service. *Id.* The rule requires telephone companies to keep monthly records of out-of-service reports and to notify the Commission if the company is not able to clear at least 90% of outages within the time required by the rule for a period of three consecutive months. IDAPA 31.01.41.502.03.


YOU ARE FURTHER NOTIFIED that the Commission has determined to initiate a review of Telephone Customer Relations Rule 502 and update the rule, if appropriate, to comport with the changes that have occurred in the telecommunications industry since 1993. Accordingly, the Commission initiates a review of Telephone Customer Relations Rule 502, IDAPA 31.41.01.502 to determine whether a negotiated rulemaking is feasible. The Commission Staff will convene a public workshop to discuss Rule 502, and obtain information and expertise from industry representatives to recommend possible changes to the rule.

YOU ARE FURTHER NOTIFIED that Staff will convene a workshop on **APRIL 30, 2012 AT 10:00 A.M. IN THE COMMISSION HEARING ROOM, 472 WEST WASHINGTON STREET, BOISE, IDAHO.** Persons desiring to participate in the rule workshop to review the Commission's Telephone Customer Relations Rule 502 should notify the Commission Secretary to be placed on the service list for this case, and are invited to attend the workshop on April 30, 2012.

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0338 (Telephone)
(208) 334-3762 (FAX)
E-Mail: secretary@puc.idaho.gov


DATED at Boise, Idaho this 10th day of April 2012.


PAUL KJELLANDER, PRESIDENT


MACK A. REDFORD, COMMISSIONER


MARSHA H. SMITH, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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