

**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**  
) **SETTLEMENT STIPULATION**  
) **NOTICE OF**  
) **MODIFIED PROCEDURE**  
) **ORDER NO. 32548**

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YOU ARE HEREBY NOTIFIED that on December 22, 2011, a Petition was filed by 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) 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 asserted in its Petition that changes in the telecommunications industry since the rule was adopted make the rule obsolete, and that 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 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 determined to initiate a review of Telephone Customer Relations Rule 502 and update the rule, if appropriate, to recognize the changes that have occurred in the telecommunications industry since 1993. The

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Commission Staff convened a public workshop on April 30, 2012, to discuss Rule 502, and obtain information and expertise from industry representatives to recommend possible changes to the rule. The Commission served notice of the workshop on April 10, 2012, to all telecommunications providers with contact information on file with the Commission. Representatives from CenturyLink, Frontier Communications Northwest Inc. and Citizens Telecommunications Company of Idaho dba Frontier Communications of Idaho (Frontier), TDS Telecommunications Corp. (TDS), the Idaho Telecom Alliance (ITA), and Commission Staff attended the workshop.

YOU ARE FURTHER NOTIFIED that the parties attending the workshop agreed to revisions to Rule 502, simplifying the rule and removing the reporting requirements and the credit to customers requirements, and on May 4, 2012, the parties filed a Settlement Stipulation with the Commission. The rule as revised by agreement of the parties is the following:

**502. REPAIR SERVICE STANDARDS (RULE 502).**

**01. Restoration of Service.** When a telephone company providing local exchange service is informed by a customer of a service outage as described in Rule 500.02, the telephone company must restore service within forty-eight (48) hours after the report of the outage, except (a) for outages reported on Thursday, the company must restore service no later than the following Monday by 6:00 pm, and (b) for outages reported on Friday, Saturday or Sunday, the company must restore service no later than the following Tuesday by 6:00 pm. ( )

**02. Extenuating Circumstances.** Following disruption of telephone service caused by natural disaster or other causes not within the telephone company's control and affecting large groups of customers, or in conditions where the personal safety of an employee would be jeopardized, the telephone company is required to use reasonable judgment and diligence to restore service, giving due regard for the needs of various customers. When a customer causes the customer's own service outage or does not make a reasonable effort to arrange a repair visit within the service restoration deadline, or when the telephone company determines that the outage is attributable to the customer's own equipment or inside wire, the telephone company is not required to meet the restoration timelines of Rule 502.01. ( )

**03. Compliance Standard.** Each month at least eighty percent (80%) of out-of-service trouble reports shall be cleared in accordance with Rules 502.01 and 502.02. (\_\_\_\_\_)

YOU ARE FURTHER NOTIFIED that the parties filed the Settlement Stipulation with the Commission and request that the Commission approve it without alteration or modification. The parties further request that the Commission's consideration of the Settlement Stipulation be processed by Modified Procedure with a 21-day comment period. The parties further recommend, if the revised rule is approved by the Commission, that it be submitted to the Rules Coordinator for publication and promulgation as a revised rule.

YOU ARE FURTHER NOTIFIED that the parties agree and request that the Commission grant an exemption to the existing Rule 502 to the companies that are parties to the Settlement Stipulation, and to any other company that subsequently requests an exemption, pending completion of the rulemaking process and the effectiveness of the revised Rule 502. The parties agreed, and the Commission may order, that any company granted an exemption will be bound by the terms of the revised Rule 502 during pendency of its enactment.

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on the Settlement Stipulation may file a written comment in support or opposition with the Commission within twenty-one (21) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning the Settlement Stipulation shall be mailed to the Commission at the address reflected below:

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street  
Boise, ID 83702-5918


All comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon and complete the comment form using the case number as it appears on the front of this document.

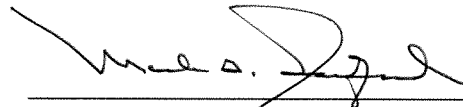
YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

### **ORDER**

IT IS HEREBY ORDERED that the Commission's consideration and review of the Settlement Stipulation will be processed by Modified Procedure, IDAPA 31.01.01.201-.204. Persons interested in submitting written comments in this matter must do so within 21 days from the service date of this Notice.

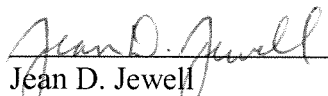
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 9<sup>th</sup>  
day of May 2012.

  
PAUL KJELLANDER, PRESIDENT

  
MACK A. REDFORD, COMMISSIONER

  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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