

Jean Jewell

From: channon@aarp.org
Sent: Thursday, May 31, 2012 7:59 AM
To: Jean Jewell; Beverly Barker; Gene Fadness
Subject: PUC Comment Form

A Comment from Coralette Hannon follows:

Case Number: GNR-T-12-03
Name: Coralette Hannon
Address:
City: Washington
State: DC
Zip:
Daytime Telephone:
Contact E-Mail: channon@aarp.org
Name of Utility Company: CenturyLink
Acknowledge: acknowledge

Please describe your comment briefly:
(Corrected Comments)

Dear Commissioners Smith, Redford, and Kjellander:

For many of our 180,000 AARP members in Idaho, telephone communication is a basic necessity, allowing older people to maintain social contact, preserve health and safety, and gain assistance in an emergency. In fact, people age 65 and older are more likely than any other age group to have telephone service in their home. As such, AARP advocates for the needs and concerns of the 50 plus population across the nation and in Idaho on crucial utility matters. We AARP hereby submit these comments in opposition to the proposed settlement in Case No. GNR-T-12-03, as set forth in Order No. 32548 (May 9, 2012), due to its potential for negative impact on consumers in our state.

This proceeding originated on the petition of various CenturyLink-affiliated companies (hereinafter, CenturyLink) for a waiver of Rule 502 of the rules of the Idaho Public Utilities Commission ("Commission"). The current rule provides that a telephone company must restore a customer's service within 24 hours of being notified of an outage, with some exception for mitigating circumstances. In the event that service is not restored within this time, the telephone company is required to credit the customer for one month's service. The rule also contains a record-keeping requirement; if the company's records show that, within any three-month interval, it has not succeeded in clearing 90% of outages reported within 24 hours, it must report this condition to the Commission. With a waiver of the rule, CenturyLink would not have to comply with any of these provisions. AARP opposes the proposed settlement because it would unnecessarily erode consumer protections, leaving the state's most vulnerable citizens with less recourse if the quality of basic telephone service deteriorates.

In support of its petition, CenturyLink has made various claims to the effect that competition and the availability of service alternatives make the consumer protection rules with respect to service restoration outdated and unnecessary. AARP does not agree with CenturyLink's characterization of the status of competition or of its effect on the ongoing need for consumer protection in the event of a service outage. While many consumers may have access to wireless phones during a service outage affecting their wireline telephone, this is not always the case. The elderly are far less likely to rely on cell phone service than are

other residents, and those residing in rural areas often have limited or spotty cell phone coverage. These citizens are most at risk when landline service is unreliable because in the case of an emergency (e.g., medical, or fire), they may be unable to reach 911 service, and, if they live in remote areas, may be located far from emergency services. Elderly citizens living in sparsely populated areas may be most at risk. The legislation would harm citizens throughout the state, including elderly ones who are more likely than others to confront medical emergencies and are most at risk in the event of phone service that is not repaired in a timely manner. Cell phone service can be unaffordable to many customers, and reliable coverage is not always available. Reliable dial tone service can be a matter of life or death for those seeking timely emergency services. Furthermore, if there is also a power outage at the same time as a telecommunications service outage, customers would be unable to charge the batteries in their cell phones, rendering them unusable. Reliable wireline service, therefore, continues to be of paramount importance to AARP's constituents.

Furthermore, AARP does not agree with CenturyLink's argument that competition compels the telephone company to maintain high service quality standards, for fear of losing customers. Even where customers could choose another provider, there are costs associated with changing providers that may prevent a customer from defecting from the incumbent. The primary competitor to the incumbent local exchange carrier is the incumbent cable company, which may not have yet deployed broadband-based VoIP throughout the relevant service territory or which may only offer VoIP-based voice service as part of an expensive "triple play" package of voice, broadband Internet access, and video service.

Other claims made by CenturyLink - such as the assertion that its ability to deploy broadband suffers because its personnel are unreasonably diverted to repair work - are unproven and largely irrelevant to its obligation to maintain reliable telephone service.

AARP opposes the proposed modifications to Rule 502. As modified, Rule 502 gives telephone companies at least 48 hours (twice the interval provided by the current rule), and more time over the weekend, to repair an outage, and consumers would no longer receive a one-month credit when the repair interval is exceeded. Regarding the proposed additional leeway over the weekend, state policy makers are surely aware that risks to health and home (heart attacks, strokes, fires, burglaries, etc.) can occur on Saturdays and Sundays just as easily as during the Monday through Friday period. Therefore, consumers require reliable access to E911 regardless of the day of the week. Furthermore, AARP is concerned that the elimination of the credit removes an incentive for timely repair of dial tones. If, as CenturyLink suggests, the level of competition that now exists creates an adequate incentive for CenturyLink to repair service in a timely manner (a proposition with which AARP disagrees), then it should not be concerned about the existence of a credit for consumers - that is, if competition causes CenturyLink to repair service in a timely manner, it will not need to pay the credit. If, however, competitive forces are not sufficient to cause adequate service quality, consumers require protection and deserve a credit.

For all of the foregoing reasons, there is no basis for providing CenturyLink with a lower benchmark for its reporting requirement (the proposed settlement would lower the benchmark that triggers a reporting requirement from 90% to 80%). AARP opposes the proposed settlement because it would harm consumers and lacks adequate justification.

AARP appreciates the opportunity to express our opposition to the proposed settlement. Please feel free to direct any questions or requests to Lee Flinn, Associate State Director - Advocacy at AFlinn@aarp.org or (208) 855-4005.

The form submitted on <http://www.puc.idaho.gov/forms/ipuc1/ipuc.html>
IP address is 170.109.16.2