(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

|  |  |  |
| --- | --- | --- |
| IN THE MATTER OF THE  INVESTIGATION CONCERNING U S WEST COMMUNICA­TIONS’ COMPLIANCE WITH TELECOMMU­NI­CA­TION SERVICE RULE 503, IDAPA 31.41.01.503. | )  )  )  )  )  )  ) | CASE NO. USW-N-95-2  ORDER NO.  26732 |

In January 1996, the Commission issued Order No. 26303 adopting a Consent Agreement entered into between the Commission Staff and U S WEST Communications.  The Consent Agreement provided that U S WEST would voluntarily pay a civil penalty of $2,500 for each month that the Company failed to meet the requirements of the Commission’s Telephone Customer Relation Rule 503 in its northern Idaho service area.(footnote: 1)  Rule 503 generally requires that a telephone company restore local service within 24 hours from the time a service outage is reported.  The Rule further provides that telephone companies “clear” 90% of the out-of-service trouble reports within 24 hours each month.  Order No. 26303 also provided that when “the Company meets the 90% standard for three consecutive months . . ., U S WEST’s obligation to pay civil penalties will terminate.”  Order No. 26303 at 3.(footnote: 2)

BACKGROUND

When the Commission adopted the Consent Agreement in January 1996, it noted that U S WEST had not met the 90% standard in northern Idaho for at least 17 months—since August 1994.  Order No. 26303 at 4.  The Commission agreed with U S WEST that restoration of service was a serious matter and was pleased that the Company was implementing actions to improve its service restoration performance.  The Commission required the Company to report its service restoration performance on a monthly basis and indicated that it would review the Company’s repair performance in approximately six months.

After the first six months of 1996, the Commission observed that although the Company had made marked improvements in restoring service in northern Idaho, the Company still failed to meet the 90% standard for three consecutive months.  In Order No. 26610 issued September 13, 1996, the Commission found that U S WEST only met the 90% standard in northern Idaho in May 1996.  Order No. 26610 at 2.  The Commission directed that U S WEST submit a report outlining additional actions it intended to take to bring itself into compliance with the 90% standard.

In its response, U S WEST stated that it had implemented several new actions during July and August 1996 to improve its restoration performance.  In particular, the Company adjusted its repair activities and designated a single service manager with the responsibility for monitoring repair tickets in northern Idaho.  The Company also realigned its work force so that it could more efficiently utilize repair technicians to meet the 24-hour repair standard.  U S WEST expressed confidence that its new actions would improve its ability to meet the 90% repair standard.

THE OCTOBER REPORT

On November 20, 1996, the Company filed its restoration of service report for the month of October 1996.  The Company reported that its restoration of service performance for the month of October was 93%.  As indicated below, October was the third consecutive month that the Company exceeded the 90% standard.

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 1995 |  |  |  |  | 1996 |  |  |  |  |  |
|  | Dec | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct |
| northern Idaho | 83 | 72\* | 82 | 88 | 82 | 91 | 86 | 84 | 91 | 93 | 93 |

Source: Monthly BSM report.

    \*Flood Conditions

D I S C U S S I O N

We find that U S WEST has met the 90% standard for three consecutive months.  Thus,  the Company has met the performance condition terminating the civil penalty requirement.  We are pleased that the Company is restoring telephone service in a timely manner consistent with our Rule 503.  The monitoring requirement of Rule 503.03 will require that the Company continually monitor its restoration of service performance.(footnote: 3)  We conclude that this case may be closed.

O R D E R

IT IS THEREFORE ORDERED that this case be closed.

THIS IS A FINAL ORDER.  Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this Case No.  USW-N-95-2 may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in this Case No.  USW-N-95-2.  Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration.  See Idaho Code § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of December 1996.

                                                                                                                                      RALPH NELSON, PRESIDENT

                                                                                           MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

vld/O:USW-N-95-2.dh3

**FOOTNOTES**

1:

The Company serves about 24,000 customers in eight exchanges located between Grangeville and Lewiston.

2:

In Order No. 26650 issued October 24, 1996, the Commission removed the 5% improvement incentive originally applicable to U S WEST’s operations in northern Idaho.  This Order also continued the existing monthly civil penalty of $2,500  for northern Idaho if the Company did not meet the 90% standard.

3:

Telephone companies that fail to meet the 90% standard for three consecutive months must notify the Commission.  Rule 503.03 provides that such companies “shall notify the Commission whenever the record indicates the ninety percent (90%) level has not been met for a period of three consecutive months.”  IDAPA 31.41.01.503.03.

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

December 19, 1996