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January 17, 2018

VIA ELECTRONIC MAIL

Ms. Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission
Of the District of Columbia
1325 G Street, N.W. Suite 800
Washington, DC 20005

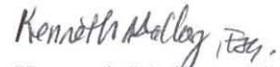
Re: RM27-2014-01: In the Matter of the Commission's Investigation Into the Rules Governing Local Exchange Carrier Quality of Service Standards For The District

Dear Ms. Westbrook-Sedgwick:

Enclosed please find the original and three copies of the *Initial Comments of the Office of the People's Counsel for the District of Columbia [PUBLIC VERSION]* in response to the Second Notice of Proposed Rulemaking filed in the above-captioned docket.

If there are any questions regarding this matter, please contact me at (202) 727-3071.

Sincerely,



Kenneth Mallory, Esq.
Assistant People's Counsel

Cc: Parties of record

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE DISTRICT OF COLUMBIA**

In the Matter of)	
)	RM27-2014-01
The Commission’s Investigation)	
into the Rules Governing Local)	
Exchange Carrier Quality of)	
Service Standards for the District)	

**INITIAL COMMENTS OF THE OFFICE OF THE PEOPLE’S COUNSEL FOR THE
DISTRICT OF COLUMBIA**

I. INTRODUCTION

Pursuant to the Public Service Commission of the District of Columbia’s (“Commission” or “PSC”) Notice of Second Proposed Rulemaking (“NOSPR”),¹ the Office of the People’s Counsel for the District of Columbia (“OPC” or “Office”), the statutory representative of District of Columbia consumers and ratepayers with respect to utility matters,² hereby respectfully submits the *Initial Comments of the Office of the People’s Counsel for the District of Columbia* (“*Initial Comments*”) in the above-captioned proceeding.

II. SUMMARY OF COMMENTS

As the Office stated in its 2014 comments in this proceeding and *Formal Cases No. 1090 and 1102*, the Commission must prioritize consumer protection as the District, and nation, transitions from legacy telecommunications services to advanced communications services

¹ RM27-2014-01, *In the Matter of the Commission’s Investigation Into the Rules Governing Local Exchange Carrier Quality of Service Standards for the District* (“RM27-2014-01”), Notice of Second Proposed Rulemaking, 64 D.C. Reg. 46 (November 17, 2017) (“NOSPR”).

² D.C. Code § 34-804 (Lexis 2018).

provided over fiber and other technologies.³ Continued oversight of retail service quality is necessary to ensure consumers can still elect to choose local telecommunications services over their facility of choice and obligate a standard level of service quality. Therefore, the Office supports, with certain exceptions, the Commission's proposed amendments to Chapter 15-27 of the District of Columbia Municipal Regulations ("DCMR") as contained in the NOSPR updating retail quality of service ("RQS") measures applicable to telecommunications service providers ("TSPs").⁴ Specifically, OPC supports the following proposed amendments:

- The Commission should adopt its proposed definition of "Installation Date";
- The Commission should adopt its proposed changes to the "Customer Fault";
- The Commission should adopt its newly proposed Trouble Clearing Time and Repeat Trouble measures; and
- The Commission should adopt its proposed amendments for aggregation /disaggregation by type of customer and technology.

In addition, the Office proposes the following amendments:

- The Commission must amend the "Installation Commitments Met" metric to strengthen the completion standard;
- The Commission must amend the "Out of Service" metric to provide clarity and curb potential abuses by TSPs; and
- The Commission should narrow the NOSPR's list of services excluded from RQS measures.

³ See, e.g., *RM27-2014-01, Initial Comments of the Office of the People's Counsel for the District of Columbia*, pp. 2-3, filed September 22, 2014 ("*OPC 2014 Initial Comments*"); *Formal Case No. 1102, In the Matter of the Investigation into the Continued Use of Verizon Washington, DC, Inc.'s Copper Infrastructure to Provide Telecommunications Services ("Formal Case No. 1102")*, Initial Post Hearing Brief, pp.2-3, filed March 16, 2015; *Formal Case No. 1090, In the Matter of Investigation into the Reliability of Verizon Washington DC's Telecommunications Infrastructure ("Formal Case No. 1090")*, Initial Post-Hearing Brief, pp.6-7, filed March 27, 2013.

⁴ Attachment 1, attached hereto, contains a redline version of the rule amendments proposed by OPC.

Adoption of the Commission’s proposed rules, along with the Office’s proposed amendments, will ensure optimal service quality to District consumers who continue to rely on basic telecommunications services provided over copper and fiber facilities.

III. BACKGROUND

On July 11, 2014, the Commission issued a Notice of Proposed Rulemaking (“NOPR”) requesting comments on proposed amendments to Chapter 27 of Title 15 of the DCMR.⁵ The proposed amendments were described in the NOPR as follows:

The proposed amendments add two new measures, a Trouble Clearing Time measure and a Repeat Trouble measure to evaluate the time needed to repair service-affecting but not out-of-service problems and to evaluate the percentage of repeated problems with a particular service line. The proposed amendments also include changing some reporting requirements, requiring aggregation of results and disaggregation of results both by the type of customer and the type of facility used to provide service.

RM27-2014-01, In The Matter of The Commission’s Investigation Into The Rules Governing Local Exchange Carrier Quality of Service Standards for the District (“RM27-2014-01”), Notice of Proposed Rulemaking, 61 D.C. Reg. 29 (July 11, 2014) (“NOPR”). The Commission initially prescribed 30 days for filing initial comments and 45 days for submitting reply comments but subsequently extended both deadlines.⁶

⁵ *Id.*

⁶ *RM27-2014-01, Public Notice, 61 D.C. Reg. 008195 (August 8, 2014) (“NOPR”).*

OPC and Verizon Washington, DC Inc. (“Verizon-DC” or the “Company”) each submitted initial and reply comments in response to the NOPR on September 22, 2014⁷ and March 6, 2015,⁸ respectively.

On November 17, 2017, the Commission issued its NOSPR.⁹ In addition to the amendments proposed originally in the NOPR by the Commission, the NOSPR contains several new proposed revisions to the DCMR. Initial comments were due December 18, 2017, and reply comments were due on January 2, 2018.

On November 27, 2017, Verizon-DC filed a *Motion for an Extension of Time to File Comments*. In it, they requested an enlargement of the comment period and for initial comments to be due on January 17, 2018, and reply comments on February 16, 2018.¹⁰

IV. COMMENTS

As District consumers transition from TSPs’ legacy basic telephone services provided over copper facilities to voice services provided over fiber and Voice over Internet Protocol (“VoIP”) based services, the Commission must prioritize the implementation of rules that provide optimal service quality and protect all consumers from potential abuses. As OPC submitted in its 2014 comments on the Commission’s 2014 RQS proposals, all District consumers of traditional and advanced communications services are entitled to quality

⁷ *RM27-2014-01, Initial Comments of the Office of the People’s Counsel for the District of Columbia*, filed September 22, 2014 (“*OPC 2014 Initial Comments*”). *RM27-2014-01, Comments Verizon Washington, DC Inc.*, filed September 22, 2014 (“*Verizon-DC 2014 Initial Comments*”).

⁸ *RM27-2014-01, Reply Comments of the Office of People’s Counsel for the District of Columbia*, filed March 6, 2015 (“*OPC 2015 Reply Comments*”). *RM27-2014-01, Reply Comments of Verizon Washington, DC Inc.*, filed March 6, 2015 (“*Verizon-DC 2015 Reply Comments*”).

⁹ *RM27-2014-01, NOSPR*.

¹⁰ *RM27-2014-01, Verizon Washington, DC Inc.’s Motion for an Extension of Time to File Comments*, filed January 27, 2017.

telecommunications service and technology improvements should always lead to higher quality of service.¹¹ Thus, OPC's positions put forth herein *infra* on the NOSPR's proposed amendments are designed to ensure that existing service quality levels are maintained and that District consumers share in the benefits of increased quality via new technology.

A. OPC Supports the Commission's Proposed Installation Commitments Met Measure.

The extant Installation Commitments Met RQS measure is as follows:

[E]valuates the percentage of times that a telecommunications service provider completed the installation of the customer's local exchange service by the end of the day on the installation date set by the telecommunications service provider . . .

The following requirements apply:

- (a) The standard for this measure is ninety-five percent (95%) completion by the installation date per month;
- (b) Results for this measure shall be calculated by dividing the number of installation dates met by the total number of installation date commitments made. Results shall be stated as a percentage rounded to the hundredth using traditional mathematical rounding;
- (c) Data collected for this measure shall be disaggregated into residential and business customer categories and reported by these categories; and
- (d) If the installation date is missed due to customer fault, then it shall not be included in the sample to be measured. Customer fault means that the customer is not ready for the installation or access to the customer premises is unavailable or unsafe, unless the customer requests a different installation date from the telecommunications service provider before the installation date.

¹¹ The Office believes the guidelines informing its comments on the Commission's 2014 RQS proposals are still relevant today. These guidelines are: "(1) DC consumers deserve service quality commensurate with what Verizon-DC promises its FiOS customers and customers in other jurisdictions; (2) Technology improvements should lead to higher quality of service; (3) Where a service quality standard has consistently been exceeded, a more meaningful measure should be established; (4) All consumers in the District are entitled to quality telecommunications services, irrespective of geographic location; and (5) All consumers of traditional (i.e., non-VoIP) telecommunications services are entitled to quality telecommunications services, irrespective of the service they use." See *OPC 2014 Initial Comments*, pp. 7-11.

CDCR 15-2720.2 (Lexis 2018). OPC believes the proposed revisions to the Installation Commitments Met measure to add a definition for “installation date” and “customer fault” address numerous weaknesses with the measure identified by the Office previously and should be adopted.¹²

1. The Commission Should Adopt Its Proposed Definition of “Installation Date.”

OPC supports the proposed definition of “installation date.” The current Installation Date measure allows a TSP to select service installation dates. This, in turn, provides TSPs with unilateral control to ensure they do not miss the Installation Commitments Met measure, even if the installation date selected by the TSP forces a consumer to wait longer for his or her service to be installed.¹³ The NOSPR’s proposed definition of “installation date” addresses this issue by defining an installation date as the fifth business day following the installation request or the customer-requested date, whichever is later.¹⁴

2. The Commission Should Adopt Its Proposed Changes to the “Customer Fault” Exemption.

OPC supports the proposed changes to the “customer fault” exemption of the Installation Commitments Met measure.¹⁵ The existing rule grants TSPs too much control over determining whether a customer is not ready for installation. For example, the present rule allows a TSP to classify an installation as missed due to customer fault – and therefore exclude it from the

¹² *Id.*, pp. 12- 15.

¹³ CDCR 15-2720.2(d) (Lexis 2018). This problem was identified by OPC in *Formal Case No. 1090*. See, e.g., OPC 2014 Initial Comments, p. 13(citing OPC Exhibit C submitted in *Formal Case No. 1090*).

¹⁴ *RM27-2014-01*, NOSPR, p.2.

¹⁵ Rule 2720.2(d) states: “If an installation date is missed due to customer fault, then it shall not be included in the sample to be measured.” CDCR 15-2720.2 (d) (Lexis 2018).

Installation Commitments Met measure sample – if the customer does not answer the doorbell on the first attempt, even if an additional effort (i.e., ringing the doorbell another time or knocking on the door) could be made to successfully complete the installation.¹⁶ This concern would be rectified through the adoption of the definition of “customer fault” put forth in the NOSPR, which proposes the following denotation: “access to the customer premises is unavailable during the five day window or installation at the customer's premise cannot be done because the premises is unsafe or if the customer requests a different installation date from the telecommunications service provider before the installation date.”¹⁷ The Office believes this proposed definition removes the inordinate control conferred upon TSPs under the existing rule that enables them to (i) determine a customer is not ready and (ii) exclude install misses from the RQS measure. Accordingly, this proposed definition should be adopted.

3. The Commission Must Amend the Installation Commitments Met Metric to Strengthen the Completion Standard.

The existing Installation Commitments Met standard of 95% of customers’ installations completed per month by the installation date¹⁸ is too low and does not provide incentives for TSPs to even maintain existing levels of service quality, much less improve their performance. For example, Verizon-DC [***BEGIN CONFIDENTIAL

¹⁶ This problem was identified by OPC in Formal Case No. 1090. *See, e.g.*, OPC 2014 Initial Comments, p. 14 (citing OPC Exhibit C submitted in *Formal Case No. 1090*).

¹⁷ *RM27-2014-01*, NOSPR, p. 2.

¹⁸ CDCR 2720.2(b) (Lexis 2018).

END CONFIDENTIAL*]**. Between January 2008 and September 2017,¹⁹ Verizon-DC's average performance for residential Installation Commitments Met was *****BEGIN CONFIDENTIAL END CONFIDENTIAL***]** and its average performance for Installation Commitments Met (business) was *****BEGIN CONFIDENTIAL END CONFIDENTIAL***]**. Thus, Verizon-DC could allow its installation performance to deteriorate by between *****BEGIN CONFIDENTIAL END CONFIDENTIAL***]** without missing the existing 95% standard. A retail quality of service measure is not meaningful if a TSP is virtually never at risk of missing it or if the standard is set so low that it would permit service quality deterioration. But that is indeed the case with the 95% standard for Installation Commitments Met.

To address this weakness and make the Installation Commitments Met measure meaningful, OPC recommends changing the standard from 95% to 98%. The data show that a 98% standard is certainly achievable. For instance, *****BEGIN CONFIDENTIAL**

END CONFIDENTIAL*]** Moreover, a 98% standard will incentivize TSPs to maintain existing levels of service quality.

¹⁹ September 2017 is the most recent month of data available.

B. The Commission Should Adopt Its Proposed Amendments to the Out-of-Service Metric.

OPC supports the NOSPR's proposed amendment to the Out-of-Service ("OOS") measure to modify the "24 hour time clock" under the rule as it will provide needed clarity and curb potential abuses of this metric by TSPs.²⁰ As the existing rule states, the metric:

[E]valuates the percentage of customer trouble reports that are classified as out-of-service problems that are cleared within twenty-four (24) hours.

CDCR 15-2720.4 (Lexis 2018). The existing rule requires TSPs clear eighty percent (80%) of customer troubles within twenty-four (24) hours.²¹ Furthermore, the existing rule states that the 24-hour time clock tracking service outages begins when an outage report is received by the TSP *if the outage report is received during normal business hours*, and that the 24-hour time clock begins at the start of the day on the next business day *if the outage report is received outside of normal business hours*.²²

The existing OOS rules hinge on a TSP's normal business hours. Therefore, the existing rules favor TSPs, to the detriment of District consumers, by delaying the start of the time clock for outages reported outside of business hours and by allowing TSPs to determine the starting time by unilaterally defining what constitutes normal business hours. For example, if a TSP sets its normal business hours from 8 a.m. to 6 p.m. Monday through Thursday, and 8 a.m. to 5 p.m. on Friday and days before holidays (with no business hours on weekends and major federal

²⁰ The Office's initial position regarding this metric is found in its 2014 initial comments. *See OPC 2014 Initial Comments*, pp. 20-22.

²¹ CDCR 15-2720.4 (b) (Lexis 2018).

²² CDCR 15-2720.4 (Lexis 2018).

holidays),²³ for a customer submitting an outage report at 5:01 p.m. on Friday, the time clock for service quality reporting purposes would not begin until 8 a.m. the next Monday morning – or about 63 hours after the outage report was submitted by the customer. This delay is wholly unacceptable, particularly for a measure which has a 24-hour standard.

The NOSPR’s proposed amendments to 2720.4(a) address these concerns by starting the 24-hour time clock when the outage report is received by the TSP, *whether through the business office during normal business hours or through an automated 24-hour outage reporting system.*²⁴ The amendments provide for a simpler, more definitive starting time for measuring OOS Clearing Time, and eliminate TSP control over the time clock by *not* basing the time clock on a TSP’s normal business hours.

1. The Commission’s Existing Out-of-Service Standard Should Be Strengthened.

OPC recommends strengthening the standard for the OOS measure from the existing requirement that 80% of customer troubles are cleared within 24 hours to 90% cleared within 24 hours.²⁵ Available data show a 90% standard is certainly achievable. For example, [***BEGIN

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END CONFIDENTIAL*]** Moreover, in addition

²³ Verizon-DC stated these were its business hours in Formal Case No. 1090. OPC 2014 Initial Comments, p. 42, citing *Formal Case No. 1090*, Order 17313, ¶ 47.

²⁴ *RM27-2014-01*, NOSPR, p. 3.

²⁵ This was the previous standard in Delaware, see former CDR 26-4000-4003 §5.10.3. This administrative code was repealed in 2015. 18 DE Reg. 653 (2015). The fact that this was the standard in Delaware (another Verizon RBOC state) demonstrates it is reasonable to expect Verizon to meet this higher standard.

to being reasonable, a 90%-within-24-hour standard will provide incentives for TSPs to maintain or improve existing levels of service quality.

C. OPC Supports the Commission’s Proposed Trouble Clearing Time and Repeat Trouble Report ROS Metrics.

The Office strongly supports the adoption of the Commission’s proposed amendments to rules 2720.5 and 2720.7 adding new Trouble Clearing Time and Repeat Trouble measures.²⁶ During *Formal Case No. 1090*, OPC identified numerous weaknesses with the existing Trouble Reports Per 100 Lines measure, which “evaluates the number of access lines per one hundred (100) access lines for which a customer reports a trouble”²⁷—including, a wide disparity in trouble reports between residential and business customers, the increasing frequency of repeat trouble reports (especially for customers on a copper network), and the leniency of the existing trouble report measure in relation to the more stringent trouble report metrics in other jurisdictions.²⁸ The NOSPR proposes to address some of the concerns identified by OPC with the Trouble Reports Per 100 Lines metric through implementing the new Repeat Trouble and Trouble Clearing Time measures.²⁹ For example, the Repeat Trouble metric would evaluate the percentage of troubles that occur again within thirty calendar days and set a standard of 11% repeat troubles per month.³⁰ The Trouble Clearing Time metric would set a standard of 80%

²⁶ See *RM27-2014-01, OPC 2014 Initial Comments*, pp. 15-19.

²⁷ CDCR 15-2720.3 (Lexis 2018).

²⁸ See, e.g., *RM27-2014-01, OPC 2014 Initial Comments*, pp. 16-18.

²⁹ The standard for the Repeat Trouble measure in the NOPR was 10% repeat troubles per month. This standard was changed to 11% repeat troubles per month in the NOSPR. While OPC is not aware of any reason to change the most stringent 10% standard, it will accept the NOSPR’s 11% standard if the Repeat Trouble measure is adopted.

³⁰ *RM27-2014-01, NOSPR*, p. 4.

of customer trouble reports cleared in 48 hours.³¹ Because these measures would remedy the aforementioned issues identified by the Office in Formal Case No. 1090 regarding the Trouble Reports Per 100 Lines metric, the Office respectfully requests that they be adopted.

D OPC Supports Aggregation and Disaggregation of RQS Data by Type of Customer and Technology.

There are no aggregation or disaggregation requirements in the Commission's current RQS rules. The NOSPR, however, proposes to require that RQS data be aggregated and disaggregated into residential and business customer categories as well as into copper and fiber facility categories.³² The proposed rule amendments would require TSPs to report all RQS metrics by the following categories: business customer/copper facility, business customer/fiber facility, residential customer/copper facility, and residential customer/fiber facility.³³

These reporting categories should be adopted to address concerns OPC has raised previously about service quality performance discrepancies between business customers compared to residential customers and between customers served via copper networks compared to fiber networks.³⁴ For example, OPC has found a wide disparity in trouble report results between residential and business customers, demonstrating a preference in trouble reports to prioritize business customers.³⁵ OPC also showed that [*****BEGIN CONFIDENTIAL**

³¹ *Id.*

³² *RM27-2014-01, NOSPR, pp. 1-4.*

³³ *Id.*

³⁴ *RM27-2014-01, OPC 2014 Initial Comments, p. 16.*

³⁵ *Id.*

END CONFIDENTIAL***]³⁶ OPC also

previously found that trouble reports on Verizon-DC's copper network were increasing.³⁷ The categories required to be reported under the NOSPR's proposed rules will make it easier to identify and address these types of disparities; therefore, these amendments should be adopted by the Commission.

E. The Commission's Proposed List of Services Excepted from RQS Measures Should Be Narrowed.

To eliminate unfairness and incentives for TSPs to prioritize some customers over others, the NOSPR's exceptions' list³⁸ should be extremely limited. The extant exceptions' list states:

Exceptions - The measures shall not apply to the following services:

- (a) UNE-P;
- (b) UNE-L;
- (c) DS1;
- (d) DS0;
- (e) DS3;
- (f) EEL;
- (g) Resold services;
- (h) VoIP; and
- (i) Failures caused by collocation or interconnection problems.

CDCR 15-2720.6 (Lexis 2018). The NOSPR proposes to exclude the following services from the RQS metrics: UNE-P, UNE-L, DS1, DS0, DS3, EEL, resold services, dedicated non-switched services, wide area telephone service, Integrated Services Digital Network ("ISDN"), special service portion of PBX service, broadband services, voicemail and CPE, inside wire,

³⁶ *RM27-2014-01, OPC 2014 Initial Comments*, p. 21.

³⁷ *Id.*, p. 17.

³⁸ *RM27-2014-01, NOSPR*, p. 5.

payphone equipment, Voice over Internet Protocol (“VoIP”) services, and failures caused by collocation or interconnection problems.³⁹ This exceptions list combines excluded services from existing rule 2720.3b (which currently applies to the Trouble Reports Per 100 Lines measure) and exceptions from existing rule 2720.6 (which currently applies to all measures). This combined list of exceptions applies to all RQS metrics.⁴⁰

OPC reiterates its previous proposal (which was initially set forth in *OPC 2014 Initial Comments*) that the list of services included in RQS metrics contain all retail services—except for Customer Premises Equipment (“CPE”), inside wire, and payphone equipment.⁴¹ As the Office has previously stated, District ratepayers and consumers are entitled to reliable, high-quality telecommunications services--irrespective of ward location, customer classification, local service selection, or technology.⁴² This entitlement is not fostered by the NOSPR’s proposed exceptions list. For example, the proposed exceptions list implies that business customers of Centrex service deserve quality of service protections but business customers of ISDN service do not. While excluding ISDN service from the RQS metrics does not automatically equate to inferior service quality performance for that service, it does provide incentives for TSPs’ service quality efforts to prioritize customers of included services over customers of excluded services.

Verizon-DC has previously stated that excluding complex and special services from RQS metrics is appropriate because those services are more competitive than other retail services and, as such, customers of complex/special services can simply switch to alternative providers if

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *RM27-2014-01, OPC 2014 Initial Comments*, pp. 39-40.

⁴² *Id.*, pp. 4, 39.

service quality deteriorates.⁴³ Verizon-DC, however, has not provided any data to support this claim. Moreover, if Verizon-DC's claim that the need for RQS metrics for excluded complex/special services is obviated by more intense competition for those services, then one would expect to see increased customer churn for excluded complex services compared to the inclusion of more basic services. However, this expectation is not supported by the data. For instance, Verizon-DC provided data showing that the demand for ISDN services (which are excluded from the RQS metrics under the NOSPR's proposed rules) is [***BEGIN CONFIDENTIAL END CONFIDENTIAL***] demand for Business Centrex Lines (which are included in the RQS metrics under the NOSPR's proposed rules). That is, [***BEGIN CONFIDENTIAL

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CONFIDENTIAL***]⁴⁴ While this is only one comparison, it undercuts Verizon-DC's claim that more complex retail services should be excluded from RQS metrics because of intense competition. Therefore, the Commission should limit the services excluded from RQS measures consistent with the Office's aforementioned recommendations.

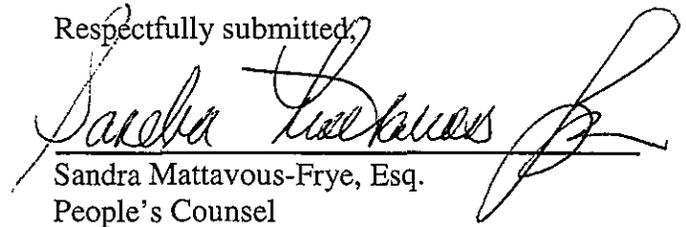
V. CONCLUSION

WHEREFORE, for the reasons set forth herein, the Office urges the Commission to adopt OPC's proposed amendments to Chapter 27 of Title 15 of the DCMR as discussed herein.

⁴³ Verizon 2015 Reply Comments, p. 34.

⁴⁴ Verizon-DC CONFIDENTIAL Response to OPC Data Request 2.10.

Respectfully submitted,



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Dated: January 17, 2018

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ATTACHMENT 1

ATTACHMENT 1: RQS Rule Amendments – As Proposed by OPC

The rules below reflect the RQS rules as proposed by the OPC. The underlined and ~~striketrough~~ text shows how the OPC's proposed rules compare to the existing rules.

15-2720. Retail Quality of Service Measures

2720.1 All telecommunications service providers having more than ten thousand (10,000) access lines shall comply with and report on the following retail quality of service measures.

2720.2 Installation Commitments Met measure - This measure evaluates the percentage of times that a telecommunications service provider completed the installation of the customer's local exchange service by the ~~end of the day on the~~ installation date. The installation date for business and residential customers is the close of business on the fifth business day following the date that the request for the installation was made or the customer-requested date, whichever is later. ~~set by the telecommunications service provider.~~ The following requirements apply:

- (a) The standard for this measure is ~~ninety-eight~~ ninety-eight five percent (98 ~~5%~~) completion by the installation date per month;
- (b) Results for this measure shall be calculated by dividing the number of installation dates met by the total number of installation date commitments made. Results shall be stated as a percentage rounded to the hundredth decimal place using traditional mathematical rounding;
- (c) Data collected for this measure shall be ~~aggregated and disaggregated~~ aggregated and disaggregated into residential and business customer categories and into copper and fiber facilities and reported in aggregate and by these business customer/copper facility; business customer/fiber facility; residential customer/copper facility; and residential customer/fiber facility categories; and
- (d) If the installation date is missed due to customer fault, then it shall not be included in the sample to be measured. Customer fault means that ~~the customer is not ready for the installation or~~ access to the customer premises is unavailable during the five day window or installation at the customer's premises cannot be done because the premises is ~~or unsafe or if~~ unsafe or if, ~~unless~~ the customer requests a different installation date from the telecommunications service provider before the installation date.

2720.3 Trouble Reports Per One hundred (100) Lines measure - This measure evaluates the number of access lines per one hundred (100) access lines for which a customer reports a trouble. The following requirements apply:

- (a) ~~The following types of access lines shall be included in the measurement:~~
 - (1) ~~Residential access lines;~~

- ~~(2) Business-Centrex lines;~~
- ~~(3) Payphone lines; and~~
- ~~(4) Voice-grade PBX trunks;~~
- (b) Customer trouble reports for the following services shall not be included in the measurement:
 - ~~(1) Dedicated non-switched services;~~
 - ~~(2) Wide-area telephone service;~~
 - ~~(3) Integrated service digital network services;~~
 - ~~(4) The special service portion of PBX service;~~
 - ~~(5) Broadband services;~~
 - ~~(6) Voice mail and customer premises equipment;~~
 - ~~(7) Inside wire; and~~
 - ~~(8) Payphone equipment;~~
- ~~(c) If a customer has multiple access lines and more than one (1) access line experiences a network service problem, then each access line shall be counted separately;~~
- ~~(bd) The standard for this measure is two and three-tenths ~~four (2.34)~~ troubles per one hundred (100) lines; ~~and~~~~
- ~~(ce) Results for this measure shall be calculated by dividing the number of initial trouble reports by the total number of access lines. This figure is then multiplied by one hundred (100). Results shall be reported to the hundredth decimal place, rounded using traditional mathematical rounding principles; and~~
- (d) Data collected for this measure shall be aggregated and disaggregated into residential and business customer categories and by copper and fiber facilities and reported in aggregate and by the business customer/copper facility; business customer/fiber facility; residential customer/copper facility; and residential customer/fiber facility categories.

2720.4 Out-of-service Clearing Time measure - This measure evaluates the percentage of customer trouble reports that are classified as out-of-service problems that are cleared within twenty-four (24) hours. The following requirements apply:

- (a) For purposes of starting the twenty-four (24)-hour time clock to calculate the time period:
 - ~~(1) If an outage report is received during normal business hours, then t~~ The time clock begins when the outage report is received by the telecommunications service provider, whether through the business office during normal business hours or through an automated 24-hour outage reporting system;

- (2) ~~If an outage report is received outside of normal business hours, then the time clock begins at the beginning of the day on the next business day;~~
 - (3) ~~If the telecommunications service provider is unable to gain access to the customer premises to repair the out-of-service condition, then the twenty-four (24)-hour time clock is stopped until the provider can gain access to the property; and~~
 - (34) Each telecommunications service provider shall establish its normal business hours in its customer bills and on a page that is readily accessible to consumers on its website.
- (b) The standard for this measure shall be ninety eight percent (8 90%) clearance within twenty-four (24) hours;
 - (c) Results for this measure shall be calculated by dividing the number of out-of-service trouble reports cleared within twenty-four (24) hours by the total number of out-of-service reports received. The result shall be reported as a percentage rounded to the hundredth decimal place using traditional mathematical rounding; and
 - (d) Data collected for this measure shall be aggregated and disaggregated into residential and business customer categories and by copper and fiber facilities and reported in aggregate and by these business customer/copper facility; business customer/fiber facility; residential customer/copper facility; and residential customer/fiber facility categories.

2720.5 Trouble Clearing Time measure – This measure evaluates the percentage of customer trouble reports that are cleared within forty eight (48) hours.

- (a) The forty-eight (48) hour time period shall be calculated as follows:
 - (1) when the trouble report is received by the telecommunications service provider either through the business office during normal business hours or by an automated 24-hour outage reporting system; and
 - (2) If the telecommunications service provider is unable to gain access to the customer's premises to repair the trouble condition, then the forty-eight (48) hour time clock is stopped until the provider can gain access to the property.
- (b) The standard for this measure shall be eight percent (80%) clearance within forty-eight (48) hours;
- (c) Data collected for this measure shall be aggregated and disaggregated into residential and business customer categories and by copper and fiber facilities and reported in aggregate and by the business customer/copper facility; business customer/fiber facility; residential customer/copper facility; and residential customer/fiber facility categories; and

(d) Results for this measure shall be calculated by dividing the number of trouble reports in each category that is cleared within forty-eight (48) hours by the total number of trouble reports received for that category. The result shall be reported as a percentage rounded to the hundredth decimal place using traditional mathematical rounding.

2720.7 Repeat Trouble measure – This measure evaluates the percentage of troubles that occur again within 30 calendar days. The following requirements apply:

(a) The standard for this measure shall be eleven percent (11%) repeat troubles per month;

(b) Data collected for this measure shall be aggregated and disaggregated into residential and business customer categories and by copper and fiber facilities and reported in aggregate and by the business customer/copper facility; business customer/fiber facility; residential customer/copper facility; and residential customer/fiber facility categories; and

(c) Results for this measure shall be calculated by dividing the number of repeat troubles for each category by the total number of trouble reports received for that category. The result shall be reported as a percentage rounded to the hundredth decimal place using traditional mathematical rounding.

2720.7 Data for all measures shall be collected and reported on a District of Columbia-wide basis.

2720.8 Included services.

All The following types of retail access lines shall be included in the measurement, except those expressly exempted in subsection (b) below. Included services shall include but are not limited to:

- (1) Residential access lines;
- (2) Business access lines and Centrex lines;
- (3) Payphone lines; and
- (4) Voice-grade PBX trunks;

2720.9 Exceptions - The measures shall not apply to the following services:

- (a) UNE-P;
- (b) UNE-L;
- ~~(c) DS1;~~
- ~~(d) DS0;~~
- ~~(e) DS3;~~
- (c ~~f~~) EEL;

- ~~(d g)~~ Resold services;
- ~~(h)~~ Dedicated non-switched services;
- ~~(i)~~ Wide area telephone service;
- ~~(j)~~ Integrated service digital network services;
- ~~(k)~~ The special service portion of PBX service;
- ~~(l)~~ Broadband services;
- (e m) Voice mail and customer premises equipment;
- (f n) Inside wire; and
- (g o) Payphone equipment;
- (h p) VoIP services; and
- (i q) Failures caused by collocation or interconnection problems.

2720.10 Reporting - Each telecommunications service provider shall collect and retain accurate data demonstrating their compliance with the measures in this chapter. Data is to be collected on a monthly basis in a format established by Commission order and these rules. The following applies to the data telecommunication service providers are required to provide:

- (a) Each telecommunications service provider shall submit its monthly reports to the Commission on a quarterly basis, with the months of January, February, and March being submitted on April 30; the months of April, May, and June being submitted on July 30; the months of July, August, and September being submitted on October 30; and the months of October, November, and December being submitted on January 30 of the next year;
- (b) If a telecommunications service provider fails a measure in a quarterly report, the provider shall file an explanation for the failure and a plan to remedy the failure. If the failure was due to data clustering, customer error, or unforeseeable events, then the telecommunications service provider may request a waiver of the performance standard. The request for a waiver shall contain a detailed explanation of the reasons for granting such a waiver; and
- (c) Each telecommunications service provider shall retain its reporting data for three (3) years in the event case that the records are audited by the Commission.

2799 Definitions

“Repeat trouble” – the same trouble that occurs again within thirty (30) days.

CERTIFICATE OF SERVICE

RM27-2014-01: In the Matter of the Commission's Investigation Into the Rules Governing Local Exchange Carrier Quality of Service Standards For The District

I certify that on this 17th day of January 2018, I caused copies of the foregoing to be served on the following parties of record by hand delivery, first class mail, postage prepaid or electronic mail:

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