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Theresa Jensen
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Policy and Law

May 23, 2001

Ms. Carole Washburn
Executive Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S. W.
P. O. Box 47250
Olympia, Washington 98504-7250

Re: Docket No. UT-990146 Customer Service Credit Rules

Attention: Vicki Elliott, Bob Shirley and Marjorie Schaer

Dear Ms. Washburn:

Enclosed are supplemental comments on the proposed new rules in WAC 480-120-X08 Service Quality Credits for Retail Customers, WAC 480-120-XXX Installation or Activation of retail Basic Service and WAC 480-120-XXY Orders for Non Basic Retail Service. The comments propose modifications to the proposed rules that are important to service objectives, daily local exchange company practices and consumer desires.

Qwest respectfully requests the Commission delay proceeding with the proposed rules until it reviews the current performance results of all local exchange companies, on a per exchange basis, in a consistent fashion. Qwest understands from the Commission staff that each company may report the data on installation intervals or held orders different than other companies. Until the Commission can accurately summarize industry exchange specific performance it is unwise to proceed with a rule that may or may not reflect attainable objectives/standards.

If you have any questions, I can be reached at 206-345-4726.

Very truly yours,

Comments of Qwest Corporation
In Docket No. UT-990146
Proposed Customer Service Credit Rules
May 21, 2001

WAC 480-120-X08 Service Quality Credits for Retail Customers

The Commission should refrain from adopting rules that dictate service quality credits. Each company ought to be free to introduce their own service quality guarantee program. The Commission staff has advised the industry that they are not trying to address an existing problem; rather they are trying to prevent future problems. However, the Commission has the authority to address any and all problems and has proven they will do so when necessary. The Commission should allow the market to function in a competitive fashion, absent abusive or negligent behavior. Should the Commission determine it needs to proceed with this proposed rule section, Qwest offers the following suggestions.

1. All facility based local exchange companies should be subject to the same rules.

The proposed rule suggests that five business days is the expected installation interval of customers ordering new service. Qwest suggests that customers typically know well in advance of a pending move and generally do not require installation of primary service within five business days. However, should the Commission continue to believe it needs to dictate an appropriate installation interval for local exchange companies, it ought not to exclude any company from such a requirement. Therefore, all facility based providers should be subject to the same installation interval requirements.

Should the Commission continue to exclude competitively classified companies, then the Commission should also exclude competitively classified services.

2. Additional incremental service credits need to be clarified and should not provide a full month credit for each week or part of week the order is delayed.

The proposed rule provides for additional credit for each week or part of week the order is delayed beyond the installation interval proposed by the Commission. Under the proposed rule the customer will receive a full month credit and non-recurring credits if the local exchange company does not complete the order within five business days. As currently drafted, the rule would provide the customer another full month's credit for the same five business days plus two additional days when it states " for each week or part of week the order is delayed beyond seven business days from the order date." The rule should be amended to "the initial seven business days" or "the initial five business days" but should not provide two credits within seven business days.

It also seems excessive to provide a full month credit for each week the order is delayed. It seems more appropriate to provide temporary service, when no service is available to the customer then to continue to apply credits. The Commission should refrain from dictating further credits until it better understands what customers expect and desire in the form of an appropriate installation interval. Qwest's experience is that customers experiencing delayed service want service alternatives. Each company should be free to offer whatever service alternatives it deems appropriate. At a minimum, the Commission should refrain from dictating further credits unless the order is held for more than two weeks.

3. Service credits should not be required in all circumstances.

The proposed rule excludes some applications but does not go far enough. Subsection two suggests that the customer may receive a credit for any service ordered, when the due date is missed. A customer could interpret the rule to require a Local Exchange Company to offer all services everywhere which is typically not the manner in which new services are deployed or introduced. The rule should be rewritten to recognize the qualifications that currently exist in Local Exchange Carrier tariffs and price lists, previously approved or accepted by the Commission. Qwest has proposed revised language in the attached document to correct this misleading introduction.

In addition, the requirements should not be applicable if the order is delayed due to customer reasons, customer premises equipment requirements, or when special service or equipment is required.

4. Each Local Exchange Company should be free to introduce their own service guarantee program.

Each Local Exchange Company should be free to introduce their own service guarantee program and should not be required to adopt the Commission program should the Commission proceed with the proposed rules. Local exchange carriers may offer a better program than that defined by the Commission. As long as each program is subject to Commission approval, and if no program is volunteered the carrier is subject to the one defined by the Commission, no harm will occur. Such an approach may foster less opposition to the proposed rules.

WAC 480-120-XXX Installation or Activation of Retail Basic Service

Qwest respectfully requests the Commission refrain from adopting the proposed new rule or modifying the existing rule (WAC 480-120-051) until it has more complete data from each of the Local Exchange Companies operating in Washington. Based on discussions

with the Commission staff, it is not clear that each company is reporting the same information or reporting exchange specific information. It also appears that no company is providing less than satisfactory service. Should the Commission determine it needs to proceed with this proposed rule section, Qwest offers the following suggestions.

1. The proposed installation interval may not be responsive to customer requirements.

The proposed rule options require a significant portion of the installation orders for up to five residence or business lines to be completed within five business days in each exchange. Each proposal approaches the requirement in a different manner. However, in spite of the progress made by Qwest over the last six months, it cannot satisfy any of the three options introduced as part of the rule making process. Qwest understands it is not the only Local Exchange Company unable to meet the proposed standards.

It is unclear what installation interval customers find acceptable or reasonable. There was no basis for five business days when it was adopted nor is there any basis or customer research that supports an appropriate installation interval at this time. Qwest has found customers want service when they need it which varies by each customer circumstance. But in almost all cases, the customer doesn't wait until the last week to arrange for new service.

Qwest respectfully suggests the Commission revise the existing reporting requirements in WAC 480-120-535 to require exchange specific information for installation intervals prior to modification of the existing Commission requirements. This would enable the Commission to determine a standard that is reasonable. As previously stated, Qwest currently completes 97% of its installation orders for up to five residence or business lines within five business days. Qwest currently meets the existing rule standard of 90% completion within five business days in at least 90% of its exchanges. However, Qwest does not meet 90% of its installation orders for up to five residence or business lines within five business days in each exchange. Confidential Attachment A identifies those exchanges that did not meet the standard for the first three months of 2001.

Should the Commission decide to proceed with the proposed rule, Qwest suggests a different approach is warranted. As previously stated, customers are most concerned about obtaining service. The installation intervals offered by Local Exchange Companies do not appear to be a customer issue. Most companies are anxious to sell service and to begin collecting new revenue as soon as practical. The issue raised by consumers has typically been missed due dates and held orders. The proposed rules address missed commitments but say very little about orders held due to a lack of facilities. Should the Commission proceed with this rule section, it should address requirements of all facility based Local Exchange Companies when an order is held due to a lack of facilities. Qwest has proposed revised language in the attached document that addresses this consumer issue.

2. The installation intervals should not be applicable in all circumstances.

The proposed rule excludes some applications but does not go far enough. Subsection two suggests that the timelines do not apply under certain circumstances. However, addition exclusions are necessary. For example, the timelines should not apply if the order is delayed due to customer reasons, if customer premises equipment is required, or when special service or equipment is required. The timelines also should not apply when the Local Exchange Company is unable to meet its obligations due to significant adverse events such as natural disasters, work stoppages or other events beyond the Company's control.

WAC 480-120-XXY Orders for Non Basic Retail Service

The Commission should omit this section entirely. All Local Exchange Companies depend on the sales of discretionary services to support universal service and basic service rates. Every Company is most anxious to install such services as soon as practical. Therefore rules dictating installation intervals are not necessary. However, should the Commission proceed with the proposed rules, Qwest respectfully suggests the rule be modified as proposed in the attached document.

