

3/13/02 Letter to Commissioners Attachment A

We are disappointed to see NO changes made to WAC 480-120-165 despite comments by us, other consumer advocates, and Public Counsel. Customers should be informed at the beginning of the complaint process about their right to appeal to a supervisor and to the commission.

We are encouraged by the change to WAC 480-120-166 that requires record keeping by companies of complaints, and that prohibits collection as well as disconnection during the commission-customer dispute process.

We were also encouraged to see the issue of available personnel addressed but think it does not go far enough. We request the replacement of "personnel" with "personnel trained in customer service and unencumbered with sales quotas."

While the above changes are important, they fall short of addressing the main problems faced by thousands of consumers caught in the "complaint loop." Placing the language above from WAC 480-120-166 upfront in WAC 480-120-165, and adding a WAC that addresses performance standards will provide stronger and much needed regulation of the complaint process.

New language underlined

480-120-165 Complaints and disputes.

- 1) When a company receives an oral or written complaint from an applicant or customer regarding its service or regarding another company's service for which it provides billing, collection, or responses to inquiries, the company must not discriminate in the processing complaints based on nationality, race, gender, age, income, or address, and must acknowledge the complaint as follows:
 - (a) Provide the name of the company's contact to the complainant;
 - (b) Provide a complaint tracking number;
 - (c) Inform the complainant of their right to appeal to a supervisor and to the Commission;
 - (d) Investigate the complaint promptly
 - (e) Report the results of the investigation to the complainant;
 - (f) Take corrective action, if warranted, as soon as appropriate under the circumstances, and in accordance to WAC 480-120-16X;
 - ~~(g) Inform the complainant that the decision may be appealed to a supervisor at the company; and~~
 - ~~(h) (g) Inform the complainant, if still dissatisfied after speaking to a supervisor, of the right to file a complaint with the commission and p~~ Provide the commission address and toll-free telephone number.
- 2) A company must not disconnect or threaten disconnection of service during a complaint process, or threaten or initiate collection of service charges in open, good faith dispute
- 3) ~~(2)~~ When a company receives a complaint from an applicant or customer regarding another company's service for which it provides only billing service, the company must provide the complainant a toll-free number to reach the appropriate office for the other company that is authorized to investigate and take corrective action to resolve the dispute or complaint.

New

480-120-16X Company performance standards for complaints and disputes.

- 1) The following standards for processing complaints apply:
 - a) For service-affecting complaints the company must promptly investigate the complaint
 - i) within five business days after the initial complaint, have investigated and closed ninety percent of complaints received each month.
 - ii) within ten business days after the initial complaint, have investigated and closed ninety-nine percent of the complaints received in one month.
 - iii) within one month after the initial complaint, have investigated and closed 100% of the complaints received in one month.
- 2) For non-service affecting complaints the company must promptly investigate the complaint

- a) within five business days after the initial complaint, have investigated and closed eighty percent of complaints received each month.
 - b) within ten business days after the initial complaint, have investigated and closed ninety percent of the complaints received in one month.
 - c) Within two months after the initial complaint, have investigated and closed 100% of the complaints received in one month.
- 3) For purposes of determining the amount of penalties that shall apply if a LEC fails to complete complaint investigations required by subsections (1)(a), (b), and (c) of this section, each complaint that the LEC fails to investigate and close in excess of the highest number of uncompleted orders that would not have triggered a violation shall be a separate violation.