

STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD

**FILED WITH
Executive Secretary
July 15, 2014
IOWA UTILITIES BOARD**

IN RE

COMPLAINT OF CAROLYN FRAHM

DOCKET NO. FCU-2013-0007

CORRECTION AND REPLY ON MOTION TO ADD PARTY (AIRUS)

OCA corrects the first sentence of paragraph 1 of its motion to add Airus as a party to these proceedings, filed July 3, 2014, to read: “Based on discovery responses received by OCA on February 28, 2014 [not 2013], OCA believes that Airus served as the underlying carrier on the failed calls that Ms. Frahm attempted to place to the number she was trying to reach in Mediapolis, as alleged in her complaint” (emphasis added).

Prior to February 28, 2014, and hence at the time OCA filed its petition on May 9, 2013, OCA had no knowledge of the apparent involvement of Airus as the underlying or intermediate carrier on the allegedly failed calls. On the contrary, at the time the petition was filed, the identity of the underlying or immediate carrier was one of the topics that required investigation. See petition, ¶ 27.

The sixteen data requests that OCA sent to Airus in this docket on May 14, 2014,¹ fell into two categories. Nos. 1 through 7 asked questions specific to this docket:

1. Please state whether, during the time period February 6, 2013, through March 7, 2013, Airus, Inc., then known as IntelePeer, Inc., served as an intermediate or underlying carrier on calls attempted to be placed from [Ms. Frahm’s phone number] to [the number she was trying to reach in Mediapolis]. If so, please describe the complete routing on such calls, including the upstream carrier from which Airus received the calls, any downstream carrier to which Airus handed the calls, and, if known to Airus, any other carrier or carriers involved in the routing.

¹For substantial portions of the time between February 28 and May 14, 2014, the undersigned was on medical leave.

2. Please state whether Airus, during the time period February 6 through March 7, 2013, had a contractual relationship with any of the carriers identified in response to data request no. 1. If so, please produce the contracts.
3. Please state whether Airus received or opened a trouble ticket with respect to any of the calls referenced in data request no. 1. If so, please produce each such trouble ticket.
4. Please explain, to the extent known to Airus, what may have caused any of the calls referenced in data request no. 1 to fail to complete. Please produce any internal documents and any correspondence or other communications with any outside party that address what caused or may have caused any of the calls to fail to complete.
5. Please explain, to the extent known to Airus, any efforts that may been taken by Airus or any other company to address the alleged failure of the calls referenced in data request no. 1 to complete. Please produce any internal documents and any correspondence or other communications with any outside party that address such efforts.
6. From and after January 1, 2011, was Airus made aware of any other complaints regarding call completion failure, post dial delay, poor transmission quality or misidentification of calling party on calls placed to the 319-394 NPA/NXX? If so, please give the date of each such complaint, the name of the complaining party, a summary of the complaint, and a description of any action taken in response to the complaint. Please produce any trouble tickets on any such complaints.
7. From and after January 1, 2011, has Airus removed any carrier or carriers from the routing on any calls to the 319-394 NPA NXX? If so, please indicate the reason for removal, the date of removal and the date of restoration if any. Please state the name, position, employer and business address of the person who made any such removal decision.

The remaining nine data requests were follow-up questions to data request responses provided by Airus in No. FCU-2013-0005, *In re Hancock County Health Systems*, in which Airus is already a party. The information sought in these nine data requests is of relevance in both dockets. When Airus twice refused to answer data requests in this docket (No. FCU-2013-0007), OCA resent these nine data requests in No. FCU-2013-0005.

Airus argues the motion should be denied because Ms. Frahm's reported call completion problems have been resolved. As stated in the Order Regarding Fourth Prehearing Conference and Requiring Filing, filed May 8, 2014, however, the purpose of the cases is to understand the causes of the problems, what was done to fix the problems in these particular cases, why the corrections solved the problems, and what the long-

terms solutions to the call completion problem are. The purpose is also for the companies to implement long-term solutions so Iowa customers do not continue to experience call completion issues as they have in the past.

For the reasons stated in OCA's motion, as corrected and amplified here, the motion to add Airus as a party to these proceedings should be granted.

Respectfully submitted,

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