FILED WITH
Executive Secretary
September 29, 2015
IOWA UTILITIES BOARD

STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD

OFFICE OF CONSUMER ADVOCATE, Petitioner, v. QWEST CORPORATION d/b/a CENTURYLINK COMMUNICATIONS, L.L.C., Respondent.	DOCKET NO. FCU-2015-0012 (C-2015-0082)

REQUEST FOR FORMAL PROCEEDING

Pursuant to Iowa Code § 476.3 (2015), the Office of Consumer Advocate ("OCA"), a division of the Iowa Department of Justice, requests a formal proceeding on the complaint in this matter. In support of this Request for Formal Proceeding, OCA states:

1. On June 25, 2015, a complaint was filed by a customer from Atlantic, Iowa against Qwest Corporation d/b/a CenturyLink ("CenturyLink"). Complainant alleged that he had been without phone service at his home since May 12, 2015, a total of 45 days. During that time, Complainant, who resides in a home for individuals with intellectual disabilities, had no means to dial 911 or reach staff or family in an emergency.

2. CenturyLink responded that the outage was caused by storms in the five to seven days preceding the loss of service. CenturyLink further stated that a technician was dispatched who determined that a bucket truck was unable to reach the line and the technician was unable to climb the pole. The poles failed a safety check and engineering was contacted to replace the poles. CenturyLink's response failed to provide a timeline for any of its actions to reinstate

service. One pole was replaced in mid-June and another on July 1, 2015. Complainant's repair ticket was finally cleared on July 2, 2015, a total of 52 days after he lost service.

3. Board rule 22.6(3) requires that 85% of all out-of-service be reports be cleared within 24 hours, that 95% be cleared within 48 hours, and that 100% be cleared within 72 hours.

4. CenturyLink failed to restore Complainant's service within 72 hours as required by Board rules. Furthermore, CenturyLink's response to Complainant's complaint fails to provide adequate information to justify the failure to promptly restore Complainant's service. Further investigation into CenturyLink's actions is necessary to answer the following questions, among others:

a. On what date was the initial technician dispatched?

b. On what date were the poles inspected for safety?

c. On what date was the pole replacement job submitted to the contractor?

d. Who was the contractor that replaced the poles?

e. On what dates did the storms allegedly affecting replacement occur?

f. What is CenturyLink's general plan for pole maintenance?

g. When were the poles replaced last inspected?

h. What communication did CenturyLink have with Complainant regarding the restoration of his service?

i. Were alternative forms of communication offered to Complainant during the time he lacked service?

5. The Proposed Resolution was filed on September 12, 2015. There have been several proceedings involving CenturyLink's failure to provide service on or about the same date. These proceedings include:

a. FCU-2015-0008 issued September 10, 2015, "to evaluate whether any extenuating circumstances excuse the delay in restoring service and the extent to which CenturyLink is in compliance with the Board's rules regarding maintenance of facilities and adequate staffing to ensure continuity of service."

b. Motion To Consolidate filed September 16, 2015, regarding eight additional Complaints filed between August 24 and September 11, 2015:

(1) C-2015-0108. Aug. 24 2015. Complainant, a 75 year old man, was without service for at least ten days.

(2) C-2015-0109. Aug. 24, 2015. Complainant has filed several complaints for poor service over the last eight years.

(3) C-2015-0111. Aug. 29, 2015. Complainant's parents, who are elderly and depend on the phone for emergencies, lost service on August 24, 2015. CenturyLink stated that it would be repaired on August 29, 2015, but it was not repaired.

(4) C-2015-0110. Aug. 31, 2015. Complainant has lost service several times for a duration of one to two weeks.

(5) C-2015-0115. Sept. 3, 2015. Complainants have had intermittent outages since January 2013 with no permanent solution. One of the Complainants has medical issues and relies on the landline for emergencies.

(6) C-2015-0114. Sept. 4, 2015. Complainant, a 90 year old man who relies on his landline, has had intermittent outages since June with no permanent solution.

(7) C-2015-0116. Sept. 8, 2015. Complainant lost service on August 16, 2015. Scheduled repair dates have been repeatedly delayed and repairs are now scheduled for September 18, 2015, after 34 days without service.

(8) C-2015-0118. Sept. 11, 2015. Complainant, lost service on September 2, 2015. The initial repair visit did not resolve the problem but CenturyLink closed the repair

ticket. A new repair ticket was then opened with a repair date of September 18, 2015.

c. C-2015-0120, filed September 11, 2015, in which a customer alleges he was told by CenturyLink that no one was available to address his service outage for five days.

d. C-2015-0125, filed September 21, 2015, in which a customer alleges that CenturyLink took a week to repair a service outage following a storm and that when service was restored there was a lot of static and service went out again after ten days.

6. A pattern of delayed service restoration exists for CenturyLink. Failure to promptly restore customers' landline phone service raises concerns about public health and safety for many customers who depend on landline phones for emergency communication with family and medical providers.

WHEREFORE, OCA requests that this complaint be docketed for further investigation into CenturyLink's conduct regarding the delay in restoring Complainant's telephone service.

Respectfully submitted,

Mark R. Schuling
Consumer Advocate

/s/ Anna K. Ryon

Anna K. Ryon
Attorney

1375 East Court Avenue, Room 63
Des Moines, Iowa 50319-0063
Telephone: (515) 725-7200
E-mail: IowaOCA@oca.iowa.gov

OFFICE OF CONSUMER ADVOCATE

Copy sent electronically to:

Diana Ornelas
CenturyLink Communications, L.L.C.
930 15th Street, 6th Floor
Denver, CO 80202
Diana.Ornelas@CenturyLink.com

Terry Lemaster
404 Crombie
Atlantic, IA 50022
shansen@cassincorporated.org