

ORIGINAL

Decision No. 92866 APR 7 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GARY LANE, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 GENERAL TELEPHONE COMPANY OF )  
 CALIFORNIA, a corporation, )  
 )  
 Defendant. )

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Case No. 10905  
(Filed September 11, 1980)

Gary Lane, Attorney at Law, for himself,  
 complainant.  
Richard E. Potter, Attorney at Law, for  
 defendant.

O P I N I O N

Complainant, Gary Lane, seeks an order requiring defendant, General Telephone Company of California, to thoroughly study the service problems of complainant and inform him of the cause of each service problem, to promptly and expeditiously correct all such service problems, to give the highest priority to correct any future service problems, to correct past billing charges by removing charges for periods when complainant's lines were crossed with another line, and to adjust complainant's bills from the time of installation of service to date downward by 50 percent to compensate for poor service rendered. Complainant further requests that this Commission formally reprimand defendant for its poor service.

Public hearing was held before Administrative Law Judge N. R. Johnson in Los Angeles on December 8, 1980, and the matter was submitted upon receipt of transcript on December 19, 1980. Testimony was presented on behalf of complainant by himself and on behalf of defendant by one of its installation maintenance supervisors, Fred Lupo, and by one of its equipment maintenance supervisors, Willie Leon Greer.

Complainant's Position

Testimony presented on behalf of complainant indicated that:

1. Since his telephone was installed approximately 16 or 17 months ago, he has experienced the following difficulties on a regular basis: dead telephone, no dial tone, callers erroneously informed telephone number was no longer in service, loud static on lines, disconnection in the middle of a conversation, and telephone going dead after dialing a number.

2. It often takes 20 minutes to get a response on 611, emergency repair service.

3. Despite assurances that his problems were being investigated and he would be kept informed of the progress of the investigation, complainant was never furnished such information by defendant's personnel.

4. Complainant was never shown a written report setting forth the results of the investigation of his service problems.

5. This Commission has never been presented with a complete and accurate report of the trouble experienced by complainant nor of the work done on his telephone.

6. The report of trouble on complainant's lines sent to the Commission in reference to Informal Complaint No. 792-5688 only contained 13 instances of reported trouble, less than one-fourth of the number of trouble instances reported to defendant by complainant.

7. Defendant's report of inspections gave no indication of trouble found, if any, nor of the date and time such trouble was supposedly cleared.

8. Complainant was informed in the middle of a long distance telephone conversation that defendant was going to perform a special inspection on his line at that time and that he would have to get off the line.

9. The amounts in dispute for MMU and toll adjustments and for periods of no service are not substantial and adjustments were made for these items which could have been for the total amount requested.

10. Complainant believes his bills should be adjusted downward by 50 percent as a penalty against General for poor service.

Defendant's Position

Testimony presented on behalf of defendant indicated that:

1. Defendant maintains groups of personnel well versed in the various specialties involved in the proper resolution of service problems. These groups are referred to as com units and, among other duties, coordinate the activities of the installer-maintainer units and central office units in the handling of specific complaints.

2. A select group of repairmen known as the SWAT team deals with special repair problems occurring between the central office and the customer's telephone.

3. Defendant also maintains a specialized group to handle special repair problems involving central office equipment.

4. A SWAT team first started handling complainant's problems in approximately May 1980. Because of difficulty defendant had in contacting complainant to monitor the quality of service, it was agreed that complainant would call the SWAT team number and leave word whenever he experienced trouble and defendant would then follow up on the matter.

5. When it is difficult to ascertain the cause of service problems, special inspections are made. On special inspections the installer-maintainer and a supervisor go to the premises and replace or repair any item that is questionable whether or not it relates to the specific problem. Also, test equipment is used to find faults that cannot be visually detected. On such inspections it is desirable to be able to access the premises so as to make a complete inspection.

6. Most of the problems could be caused by any one of a number of different causes, and similar problems do not necessarily have the same cause.

7. The special team contacts the customer after a week to make sure trouble has been cleared and then again one month later. If trouble remains cleared, the customer is transferred back to the regular repair service (611).

8. On a special inspection for the central office portion of the equipment all equipment assigned directly to the customer's line is inspected.

9. Two special and seven partial central office inspections have been performed on complainant's facilities since the matter was assigned for special handling.

10. Defendant has a dial service analyzer which will dial a predetermined number until it is shut off or until a problem is encountered at which time it will hold the line so the problem can be found and corrected. This machine has been used on complainant's telephone line.

#### Discussion

It is apparent from the record that the telephone service being provided complainant by defendant is far from satisfactory. This is not surprising in view of the fact that the quality of service rendered was one of the major issues raised during the hearings on defendant's A.59132, its most recent general rate increase application. In D.92366 dated October 22, 1980 on this matter we made the following findings:

"37. General's telephone service is presently inadequate." (Mimeo. page 162.)

"38. A penalty reduction of 0.5 percent in the return on common equity from 14.10 to 13.60 is an appropriate way to recognize inadequate service. This penalty translates to a reduction in revenue requirement of \$7.4 million." (Mimeo. page 163.)

The specific service deficiencies set forth in complainant's testimony, i.e., dead telephone, no dial tone, callers erroneously informed that telephone number was no longer in service, loud static on lines, disconnection in the middle of a conversation, and telephone going dead after dialing a number, were all included in the most common service problems discussed in the record on the above rate increase application by 189 public witnesses throughout defendant's service area. D.92366, supra, mandates specific measures to be followed by defendant to bring its overall service up to an acceptable level.

With respect to this specific complaint proceeding, it appears that defendant took positive steps in attempts to alleviate an unacceptable situation. The assignment of this matter to the special crew would normally be expected to result in the elimination of the service problem. However, in this case the failure on the part of defendant to adequately communicate with complainant apparently resulted in customer frustration and dissatisfaction. According to his testimony, complainant called the specified number, outlined his service problem, and then heard nothing further on the matter. His complaint was not acknowledged nor were the results of the investigations or troubleshooting procedures furnished him. Granted, as the record reveals, he was difficult to reach by telephone; however, there appears no valid reason why written communications

were not used in those instances when oral attempts were unsuccessful. The order that follows will require defendant to file, for a six-month period, monthly reports of the complaints filed by complainant, the steps taken by defendant to correct the problems, and complainant's evaluation of the results of defendant's actions. Copies of these reports are to be furnished complainant.

The record shows that complainant is not disputing the amount of adjustments which have been made to his account to reflect incorrect billings and loss of service and therefore no further billing corrections are required at this time. We do not believe that complainant's bills should be adjusted downward by 50 percent as a penalty against defendant for poor service. We have already assessed a rate of return penalty against defendant for poor service, as previously discussed, and a further penalty for this specific complaint is therefore unwarranted. In addition, Findings 37 and 38 quoted above from D.92366 relating to the quality of service rendered by defendant is, in effect, a formal reprimand by this Commission.

Findings of Fact

1. The telephone service being rendered complainant is inadequate.
2. Defendant assigned complainant's complaint to its select group of repairmen in an attempt to resolve the problems.
3. One of the deterrents to the satisfactory resolution of the matter was defendant's failure to communicate fully with complainant on the results of its troubleshooting procedures.
4. Complainant's specific service problems are typical of service problems being encountered by defendant's customers throughout its service territory.
5. D.92366, supra, mandates specific measures to be taken by defendant to bring its service up to a satisfactory level.

6. Defendant should submit monthly reports for a six-month period to the Commission staff with copies to complainant setting forth the details of service complaints made by complainant, the steps taken by defendant to correct the problems, and complainant's evaluation of the results of defendant's actions.

7. No further billing adjustments to complainant's account are warranted.

Conclusion of Law

The relief requested by complainant should be granted to the extent set forth in the following order.

O R D E R

IT IS ORDERED that:

1. Defendant, General Telephone Company of California, shall, for a six-month period commencing thirty days after the effective date of this order, submit to the Commission monthly reports, to be filed not later than fifteen days after the period of the report, setting forth the details of service complaints filed by complainant, Gary Lane, the steps taken by defendant to correct the problems, and complainant's evaluation of the effectiveness of the steps taken by defendant. Copies of such reports shall be sent to complainant.

2. To the extent not specifically granted above, the remaining items of the complaint are denied.

The effective date of this order shall be thirty days after the date hereof.

Dated APR 7 1981, at San Francisco, California.

John E. Bayne  
President  
Richard W. ...  
Donald H. ...  
Victor ...  
Paula C. ...  
Commissioners