

BEFORE THE STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of a Petition for a Rulemaking
Regarding Minnesota Rules Chapter 7810.

PUC Docket No.
P-421/M-21-381

COMMENTS OF
COMMUNICATIONS WORKERS OF AMERICA

Hooman Hedayati
Strategic Research Associate for Telecommunications Policy
Communications Workers of America
501 3rd St NW
Washington, DC 20001
hhedayati@cwa-union.org
(202) 434-1198

Jeff Lacher
Staff Representative
Communications Workers of America – District 7,
AFL-CIO
7600 Parklawn Ave., Ste. 412
Minneapolis, MN 55435

July 8, 2021

I. INTRODUCTION

In response to the Notice of Comment Period issued by the Commission on June 11, 2021, the Communications Workers of America - District 7 (“CWA”) submits the following Reply Comments concerning the Petition submitted by QWEST Corporation dba CenturyLink QC (“CenturyLink”) on June 07, 2021.¹ CWA's initial comments demonstrated that CenturyLink has failed to maintain its physical copper plant in Minnesota, resulting in advanced deterioration. In this reply, CWA reaffirms its earlier findings based on comments in the record, and urges the Commission to deny CenturyLink’s petition and protect Minnesota businesses and customers' access to quality basic telecommunications services.

II. OAG AND DOC COMMENTS FIND THAT CENTURYLINK’S PETITION IS AGAINST THE PUBLIC INTEREST

The initial comments filed by the Office of Attorney General (“OAG”) and the Department of Commerce (“DOC”) urged the Commission to deny CenturyLink’s petition.² CWA agrees with the DOC that numerous customers in many smaller cities in Minnesota “have no choice but to use traditional telephone service to provide basic services like fire alarms or to provide deaf and hard of hearing services.”³ CWA also agrees with the OAG that landline customers matter and that “CenturyLink’s desire to eliminate or modify service quality rules to serve its business objectives should not override the critical public policy need of ensuring that *all* Minnesotans have access to quality voice service.”⁴

¹ See Notice of Comment Period, In the Matter of a Petition for a Rulemaking Regarding Minnesota Rules Chapter 7810, Docket No. P-421/M-21-381, 4-5 (issued June 11, 2021).

² See Comments of the Minnesota Department of Commerce, In the Matter of a Petition for a Rulemaking Regarding Minnesota Rules Chapter 7810, MPUC Docket No. P-421/M-21-381 (June 28, 2021) [hereinafter DOC]; See also Comments of Office of the Attorney General—Residential Utilities Division, In the Matter of a Petition for a Rulemaking Regarding Minnesota Rules Chapter 7810, MPUC Docket No. P-421/M-21-381 (June 28, 2021) [hereinafter OAG].

³ DOC at 1.

⁴ OAG at 2.

Although CenturyLink has lost traditional voice service customers, its remaining customers and other telecom providers that use its network will continue to depend on CenturyLink for their essential telecommunications needs. Moreover, incumbent providers like CenturyLink continue to serve a large number of Minnesotans. As of 2019 (the most recent FCC data), 704,000 of the 934,000 switched access lines in Minnesota were served by incumbent telephone companies.⁵

III. THE COMMISSION SHOULD HALT RULEMAKING WHILE INVESTIGATING CENTURYLINK'S COMPLIANCE WITH SERVICE QUALITY STANDARDS

CWA agrees with OAG and DOC that the Commission should refrain from any rulemaking until the resolution of the Commission investigation in Docket 20-432. CWA filed a complaint against CenturyLink on April 22, 2021 to bring attention to the deteriorating condition of CenturyLink's plant, its failure to meet service quality standards, and its plan to eliminate nearly half of the technician workforce in the Twin Cities region.⁶ CWA withdrew its complaint in good faith after assurances by CenturyLink that it would rescind the reduction in force announcement and maintain technician staffing levels, and provide the necessary investment in infrastructure repair and maintenance. Shortly thereafter, CenturyLink broke its promises and issued a new "Involuntary Notice of Force Adjustment" for essentially the same workforce that it had agreed to retain. The layoffs became effective in September 2020, within weeks of the start of the new school year with thousands of school kids attending school remotely in the peak of the Covid-19 pandemic. As a result, CWA filed a new petition on August 18, 2020 requesting a

⁵ DOC at 1 (citing 2019 FCC Voice Telephone Services Report released in May 2021, <https://www.fcc.gov/voice-telephone-services-report>).

⁶ See Complaint letter and exhibits of Communications Workers of America, In the Matter of Formal Complaint regarding the services provided by the Qwest Corporation, d/b/a CenturyLink in Minnesota, on behalf of the Communications Workers of America (CWA), MPUC Docket No. P-421/C-20-432 (filed April 22, 2020).

full and complete investigation of CenturyLink and its failures to meet its obligations.⁷ CWA suspects CenturyLink's petition may be a tactic to avoid accountability for its current failure to meet the required standards and urges the Commission to halt any rulemaking until the conclusion of its investigation in docket 20-432.

IV. CENTURLINK CUSTOMERS ARE FRUSTRATED BY CENTURLINK'S SERVICE

CenturyLink customer comments filed in this docket echo CWA technicians' experience in the field. Alice Bekke of Minneapolis commented that CenturyLink has previously failed to repair her service line in a reasonable amount of time, always taking at least five or six days.⁸ The comments filed by Tim and Mary Hassett of Stillwater Township describe that while CenturyLink advertises speeds of 40 mbps download and 3 mbps upload, the actual speed they and their neighbors receive is about 4.92 mbps download and 0.14 mbps upload. They also experience interruption of service during rainstorms and spring thaws.⁹ Cynthia Kindlien of Stillwater complained of frequent outages and loud static on the line.¹⁰ While this customer was able to get their line replaced, they asked the Commission to require CenturyLink to maintain its copper lines as the company is also their Internet Service Provider. CenturyLink's DSL internet service is connected through the same copper lines that provide landline dial tones. CWA technicians report that the quality of internet and phone service often mirror each other.

Business interests also recognize the need for continued accountability from the incumbent provider. The Minnesota Retailers Association warned of negative results for

⁷ See Complaint letter and exhibits of Communications Workers of America, In the Matter of Formal Complaint regarding the services provided by the Qwest Corporation, d/b/a CenturyLink in Minnesota, on behalf of the Communications Workers of America (CWA), MPUC Docket No. P-421/C-20-432 (filed August 18, 2020).

⁸ See Comments of Alice Bekke, MPUC Docket No. P-421/M-21-381 (received July 2, 2021).

⁹ See Comments of Tim and Mary Hassett, MPUC Docket No. P-421/M-21-381 (received June 29, 2021).

¹⁰ See Comments of Cynthia Kindlien, MPUC Docket No. P-421/M-21-381 (received June 30, 2021).

Minnesota consumers and retailers if the rules are eliminated and explained that “many individuals and companies in Minnesota continue to use landline telephone service for communication, especially in rural areas where alternatives are limited. These services are also still leveraged for emergency and fire purposes in business operations, where they remain the best option despite the existence of alternatives.”¹¹

CWA believes that these comments provide just a small glimpse of the frustration experienced by many CenturyLink customers. In 2019, CWA attempted to obtain copies of complaints filed by CenturyLink customers with the Commission. However, we were informed that customer complaints are considered confidential and exempt from public records requests.

V. CONCLUSION

Comments filed by OAG, DOC, CenturyLink customers, and the Minnesota Retailers Association argued against elimination of service quality rules as harmful to Minnesota consumers and businesses. CWA urges the Commission to deny CenturyLink’s petition and protect Minnesota businesses and customers’ access to quality basic telecommunications services.

Respectfully submitted,



Jeff Lacher
Staff Representative
Communications Workers of America – District 7,
AFL-CIO
7600 Parklawn Ave., Ste. 412
Minneapolis, MN 55435
office: 952-926-9000

¹¹ See letter from Savannah Sepic, Government Relations Manager, Minnesota Retailers Association, MPUC Docket No. P-421/M-21-381 (received June 30, 2021).

cell: 716-491-2839
jlacher@cwa-union.org

Dated: July 8, 2021