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May 24, 2017

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, Minnesota 55101

RE: **Report of the Stakeholder Group**
Docket No. P999/DI-16-874

Dear Mr. Wolf:

Attached is the report of the Stakeholder Group in Docket P999-DI-16-874.

Sincerely,

/s/ JOY GULLIKSON
Rate Analyst

/s/ DIANE DIETZ
Rate Analyst

JG/DD/lt
Attachment

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

REPORT OF THE
STAKEHOLDER GROUP

DOCKET No. P999/DI-16-874

I. BACKGROUND

On May 2, 2016, the Commission issued its Order Closing Rulemaking Proceeding and Initiating Stakeholder Workgroup Process, in the Matter of a Rulemaking to Consider Possible Amendments to Minnesota Rules, parts 7810.4100 through 7810.6100 and in the Matter of the CenturyLink, Inc. Petition for Rulemaking to Revise Service Quality Rules.

In its Order, the Commission requested that the Department convene a stakeholder workgroup to engage in further discussion of possible rule changes. Further, the Commission requested that the Department and the participants attempt to reach consensus, to the extent possible, on changes to the Commission's rules consistent with the current marketplace, state of the industry, and the interests of consumers. The Commission requested that the Department report back to the Commission within a year on the progress made and any decisions or consensus reached.

II. MEETINGS HELD

The Department convened two meetings: one on October 27, 2016 and one on November 30, 2016. The companies or agencies represented in person or via a conference call at one or both meetings were:

- AT&T
- CenturyLink
- Frontier
- Integra
- Legal Aid
- Level 3
- Minnesota Cable Communications Association
- MN Telecom Alliance
- OAG--RUD
- TDS MetroCom

During the two meetings that were held, consensus was reached on modification of 4 rules:

7810.4100 Access to Test Facilities
7810.4300 Accuracy Requirements
7810.5100 Telephone Operators
7810.5300 Dial Service Requirements

In addition, 4 rules were identified as being largely appropriate and should be kept:

7810.5000 Utility Obligations
7810.5500 Transmission Requirements
7810.6000 Protective Measures
7810.6100 Safety Program

The stakeholder group identified the remaining rules as ones where consensus was unlikely. A third meeting was contemplated, however, the events at the Legislature, and the CenturyLink Market Regulation Petition, caused the non-industry participants to believe that no further progress was likely.

Attachment 1 is the “red lined” version of the four rules altered by consensus. Several industry participants wished the remaining rules to be altered, but no consensus could be reached, with the exception of the 4 rules that should be retained. All participants indicated that they wished to reserve the right to make comments.

III. NEXT STEPS

The stakeholder group identified four rules with proposed changes that have been agreed upon by the parties for the Commission’s consideration. The Commission may choose to open a proceeding to change the rules based upon the consensus reached, or take other action that the Commission deems appropriate.

7810.4100 ACCESS TO TEST FACILITIES, TESTING CAPABILITIES.

~~Each telephone utility shall provide or have access to test facilities which will enable it to determine the operating and transmission capabilities of circuit and switching equipment, either for routine maintenance or for fault location testing capabilities which will enable it to determine operating and transmission capabilities of the telephone utility's system.~~

7810.4300 ACCURACY REQUIREMENTS.

~~All meters, and/or recording devices, software applications, or other mechanisms used to record data and prepare customers' bills shall be in good mechanical and electrical condition, shall be accurately read, and record the data, and shall not involve approximations. All meters and/or recording devices shall accurately perform the following All bills provided to customers shall be accurate.~~

~~For message rate service, where timing of length of message is not involved, the meter and/or recording device shall show accurately the number of completed messages sent by the station which it is measuring. For message rate and/or toll service when in addition to recording the calls it is necessary to time the calls, the meter and/or recording device shall show accurately the number of calls and the talking time involved in each call and the station making such call. When the recording equipment provides coded information that is used to automatically prepare customer bills, accurate interpretation of such coded information is required.~~

7810.4900 ADEQUACY OF SERVICE.

Each utility shall employ reasonable engineering and administrative procedures to determine the adequacy of service being provided to the customer. Traffic studies shall be made and records maintained to the extent and frequency necessary to determine that sufficient equipment and an adequate operating force are provided during the busy hour, busy season. Each telephone utility shall provide emergency service in all exchanges operated in which regular service is not available at certain periods during the 24 hours of the day. When service is not continuous for the full 24-hour day, proper arrangements shall be made for handling emergency calls during the off-periods by the use of alarms maintained in proper conditions with someone conveniently available so that emergency calls will be given prompt attention.

Each utility shall employ adequate procedures for assignment of facilities. The assignment record shall be kept up to date and checked periodically to determine if adjustments are necessary to maintain proper balance in all groups.

7810.5000 UTILITY OBLIGATIONS.

Each telephone utility shall provide telephone service to the public in its service area in accordance with its rules and tariffs on file with the commission. Such service shall meet or exceed the standards set forth in this chapter. Each telephone utility has the obligation of continually reviewing its operations to assure the furnishing of adequate service. Each telephone utility shall maintain records of its operations in sufficient detail as is necessary to permit such review and such records shall be made available for inspection by the commission upon request at any time within the period prescribed for retention of such records. Each utility shall make measurements to determine the level of service for each item included in these rules. Each utility shall provide the commission or its staff with the measurements and summaries thereof for any of the items included herein on request of the commission or its staff. Records of these measurements and summaries shall be retained by the utility as specified by the commission.

Where a telephone utility is generally operated in conjunction with any other enterprise, suitable records shall be maintained so that the results of the telephone operation may be determined upon reasonable notice and request by the commission.

7810.5100 TELEPHONE OPERATORS.

Suitable practices shall be adopted by each telephone utility concerning the operating methods to be employed by operators with the objective of providing ~~efficient and pleasing service to the customers. Telephone operators shall be instructed to be~~ courteous, considerate, and efficient service in the handling of all calls, and to comply with state and federal laws in maintaining the confidentiality of communications and customer data. ~~the provisions of the Communications Act of 1934 in maintaining the secrecy of~~ communications. All operator handled calls shall be carefully supervised and disconnects made promptly. ~~When an operator is notified by a customer that the customer has reached a wrong number on a direct-dialed call, the customer shall be given a bill credit when the claim has been substantiated.~~

7810.5200 ANSWERING TIME.

Adequate forces shall be provided at local manual offices in order to assure that 95 percent of the calls will be answered within ten seconds. Ninety percent of repair service calls, calls to the business office, and other calls shall be answered within 20 seconds. An "answer" shall mean that the operator or representative is ready to render assistance and/or ready to accept information necessary to process the call. An acknowledgment that the customer is waiting on the line shall not constitute an answer.

7810.5300 DIAL SERVICE REQUIREMENTS.

Sufficient central office capacity and equipment shall be provided to meet the following minimum requirements during average busy season, busy hour:

- A.——Dial tone within three seconds on at least 98 percent of telephone calls. Dial tone delays of more than 2.6 percent of calls on a continuing basis indicates a need for investigative or corrective action.
- B.——~~Complete dialing of called numbers on at least 97 percent of telephone calls without encountering an all trunks busy condition within the central office.~~

7810.5400 INTEROFFICE TRUNKS.

Local interoffice trunks shall be provided so that at least 95 percent of telephone calls offered to the group will not encounter an all-trunks-busy condition. For toll connecting trunks, this figure shall be at least 97 percent. When the completion rate falls below 95 percent on a continuing basis investigative or corrective action should be initiated.

7810.5500 TRANSMISSION REQUIREMENTS.

Telephone utilities shall furnish and maintain adequate plant, equipment, and facilities to provide satisfactory transmission of communications between customers in their service areas. Transmission shall be at adequate volume levels and free of excessive distortion. Levels of noise and cross talk shall be such as not to impair communications.

7810.5800 INTERRUPTIONS OF SERVICE.

Each telephone utility shall make all reasonable efforts to prevent interruptions of service. When interruptions occur, the utility shall reestablish service with the shortest possible delay. The minimum objective should be to clear 95 percent of all out-of-service troubles within 24 hours of the time such troubles are reported. In the event that service must be interrupted for purposes of working on the lines or equipment, the work shall be done at a time which will cause minimal inconvenience to customers. Each utility shall

attempt to notify each affected customer in advance of the interruption. Emergency service shall be available, as required, for the duration of the interruption.

Every telephone utility shall inform the commission, as soon as possible, of any major catastrophe such as that caused by fire, flood, violent wind storms, or other acts of God which apparently will result in prolonged and serious interruption of service to a large number of customers.

7810.5900 CUSTOMER TROUBLE REPORTS.

Arrangements shall be made to receive customer trouble reports 24 hours daily and to clear trouble of an emergency nature at all hours, consistent with the bona fide needs of the customer and personal safety of utility personnel.

Each telephone utility shall maintain an accurate record of trouble reports made by its customers. This record shall include appropriate identification of the customer or service affected, the time, date, and nature of the report, the action taken to clear trouble or satisfy the complaint, and the date and time of trouble clearance or other disposition. This record shall be available to the commission or its authorized representatives upon request at any time within the period prescribed for retention of such records.

It shall be the objective to so maintain service that the average rate of all customer trouble reports in an exchange is no greater than 6.5 per 100 telephones per month. A customer trouble report rate of more than 8.0 per 100 telephones per month by repair bureau on a continuing basis indicates a need for investigative or corrective action.

7810.6000 PROTECTIVE MEASURES.

Each utility shall exercise reasonable care to reduce the hazards to which its employees, its customers, and the general public may be subjected. The utility shall give reasonable assistance to the commission in the investigation of the cause of accidents and in the determination of suitable means of preventing accidents.

7810.6100 SAFETY PROGRAM.

Each utility shall adopt and execute a safety program, fitted to the size and type of its operations. As a minimum, the safety program should:

- A. require employees to use suitable tools and equipment in order that they may perform their work in a safe manner;
- B. instruct employees in safe methods of performing their work; and
- C. instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration.

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Report of the Stakeholder Group**

Docket No. P999/DI-16-874

Dated this 24th day of May 2017

/s/Sharon Ferguson

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U13814 LightNet, L.L.C. Fazil Bhimani 2790 Quebec Court Little Canada MN 55117	U10586 Lismore Cooperative Telephone Company Erin FEIKEMA Ass't Off Mgr PO Box 127 230 S 3rd Ave Lismore MN 56155-0127	U6912 Local Access LLC Doug Osborne Director of Operations 11442 Lake Butler Blvd Windermere FL 34786
U13458 Local Access Network, LLC dba Milaca Loc Cheryl Scapanski 2220 125th St NW Rice MN 56367-9701	U10590 Lonsdale Telephone Company Bonnie Simon reg PO Box 358 Lonsdale MN 55046	U10724 Loretel Systems, Inc. David Schornack 150 2nd St SW Perham MN 56573
U13916 MCC Telephony of Minnesota, LLC dba Me Anne Sokolin Maimon Attny One Mediacom Way Mediacom Park NY 10918	U10661 MCI Communications Services, Inc. Deborah Kuhn 205 N Michigan Ave FL 7 C/O VERIZON Chicago IL 60601	U13231 MCImetro Access Transmission Services C Haleh Davary Reg Analyst c/o VERIZON 201 Spear St FL 7 San Francisco CA 94105
U10636 Mabel Cooperative Telephone Company Lorren Tingesdal PO BOX 368 214 North Main Mabel MN 55954	U6957 Magna5 LLC Barbara Meyer 2828 N Harwood St Ste 1700 Dallas TX 75201	U13345 Mainstreet Communications, LLC Mark Birkholz 150 2nd St SW Perham MN 56573
U10642 Manchester-Hartland Telephone Co. Omer D. Emstad 204 Railroad St Manchester MN 56007-5012	U10647 Matrix Telecom, LLC Linda Dellaero Reg 433 E Las Colinas Blvd Ste 500 Irving TX 75039	U12962 McLeod USA Telecommunications Services Steve Maradith Manager, Regulatory & Ta Windstream Communications, Inc 4001 Rodney Parham Rd, MS 1170 B1F2-1 Little Rock AR 72212
U10658 Melrose Telephone Company dba Arvig Lc Mark Birkholz 150 2nd St SW Perham MN 56573	U13932 Metropolitan Telecommunications of Minn Ralph Dichy Director of Tax Affairs 55 Water St., 32nd Floor New York NY 10041	U10666 Mid-State Telephone Company Jean M Pauk Ext Rel Mgr-MN,WI TDS Telecom 525 Junction Rd Madison WI 53717
U13760 Midcontinent Communications Kristi Putnam 3600 Minnesota Dr Ste 700 Edina MN 55435	U12021 Midwest Information Systems, Inc. Mark Birkholz Reg Attn: Accounts Payable 150 2nd St SW Perham MN 56573	U10670 Midwest Telephone Company Mark Birkholz Reg 150 Second Street SW Perham MN 56573
U6865 Mille Lacs Band of Ojibwe Keith Modglin 43408 Oodena Dr. Onamia MN 56359	U10676 Minnesota Independent Equal Access Corp Mary Buley 10300 6th Ave N Plymouth MN 55441	U10684 Minnesota Valley Telephone Company Danny Busche Office Mgr. PO Box 310 318 2nd Ave E Franklin MN 55333-0310
U12876 Mitel Cloud Services, Inc. Allison Dunmire 1146 N Alm School Rd Mesa AZ 85201-3000	U6966 Mobilite Management, LLC Michael P Donahue 2220 University Dr Newport Beach CA 92660	U14037 Mobilite, LLC Chester Bragado 2220 University Dr Newport Beach CA 92660
U14063 Momentum Telecom, Inc. Charles E Richardson III VP/Gen Counsel 880 Montclair Rd Ste 400 Birmingham AL 35213-1979	U13224 Moorhead Public Service (P) Travis Schmidt Gen Mgr PO Box 779 500 Center Ave FL 2 Moorhead MN 56561-0779	U6852 Mosaic Networx LLC dba MX NETWORKX Judith Riley c/o Telecom Professionals PO Box 720128 Oklahoma City OK 73172-0128

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U6873 US Signal Company, L.L.C. Barbara Boshoven VP Corp Affairs 201 Ionia Ave SW Grand Rapids MI 49503	U11040 Upsala Cooperative Telephone Associator Melissa Tschida PO Box 277 Upsala MN 56384	U13394 VAL-ED Joint Venture, LLP dba 702 Comn Jennifer Rise 702 Main Ave Moorhead MN 56560
U11056 Valley Telephone Company Dave Bickett PO Box 277 100 Main St Underwood MN 56586	U13621 Velocity Telephone, Inc. Jim Hickle Ste 100 4050 Olson Memorial Hwy Golden Valley MN 55422	U6821 Velocity, The Greatest Phone Company Ev Chip Werner Chief Operating Officer 7130 Spring Meadows W Dr Holland OH 43528
U6933 Vodafone US Inc. dba Vodafone Americas Blair Rosenthal 560 Lexington Ave FL 9 New York NY 10022	U6918 Voxbeam Telecommunications Inc. Ryan Rapolti 6314 Kingspointe Pkwy Ste 1 Orlando FL 32819	U6833 Voyant Communications, LLC Mary T Buley c/o Onvoy, LLC 10300 6th Ave N Plymouth MN 55441
U11089 West Central Telephone Association Chad Bullock 308 Frontage Road PO Box 304 Sebeka MN 56477	U13668 West Safety Communications Inc. Mgr,Reg Compliance Regulatory Department 1601 Dry Creek Dr Longmont CO 80503	U13659 West Telecom Services, LLC Robert W McCausland Sr. VP 3200 W Pleasant Run Rd Ste 300 Lancaster TX 75146
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U11101 Wikstrom Telephone Company Curtiss Wikstrom PO Box 217 212 S Main Street Karlstad MN 56732-0217	U12806 Wilderness Valley Telephone Co. Inc. Robert Riddell 13488 Cty Rd 25 Wawina MN 55736-2021	U13330 Windstream Direct, LLC Stephen Meradith 655 W Broadway Ste 850 San Diego CA 92101
U13534 Windstream EN-TEL, LLC Stephen Meradith 655 W Broadway Ste 850 San Diego CA 92101	U14058 Windstream KDL, LLC Stephen Meradith 655 W Broadway Ste 850 San Diego CA 92101	U12858 Windstream Lakedale Link, Inc. Stephen Meradith 655 W Broadway Ste 850 San Diego CA 92101
U10579 Windstream Lakedale, Inc. Stephen Meradith 655 W Broadway Ste 850 San Diego CA 92101	U12640 Windstream NTI, LLC Stephen Meradith 655 W Broadway Ste 850 San Diego CA 92101	U14054 Windstream Norlight, LLC Lyndall Nipps Reg VP-State Govt Affairs 655 W Broadway Ste 850 San Diego CA 92101
U14089 Windstream NorthStar, LLC Lyndall Nipps Reg VP-State Govt Affairs 655 W Broadway Ste 850 San Diego CA 92101	U11106 Winnebago Coop. Telecom Assoc. Mark Thoma General Manager 704 E Main St Lake Mills IA 50450	U11108 Winsted Telephone Company Jean M Pauk External Relations Manager, 525 Junction Rd C/O TDS TELECOM Madison WI 53717

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