

STATE OF MINNESOTA

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger
David C. Boyd
Nancy Lange
Dan Lipschultz
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Petition of CenturyLink, Inc.,
on behalf of its Affiliated Companies,
for Waiver of Minnesota Rule Part 7810.5800 and
for Rulemaking to Revise Service Quality Rules

P-421/AM-14-255
P-421/AM-14-256

**REPLY COMMENTS OF
AARP and LEGAL SERVICES ADVOCACY PROJECT**

In the April 2, 2014 *Notices of Comment Period*, in these dockets, the Minnesota Public Utilities Commission (“Commission”) sought comments from interested parties regarding the petition of CenturyLink, Inc. (“CenturyLink”) for waiver of Minnesota Rule Part 7810.5800 and initiation of a rulemaking proceeding for the comprehensive review of service quality rules relating to telecommunications.

AARP, on behalf of its 652,000 members in Minnesota, and Legal Services Advocacy Project submit these reply comments to urge the Commission to reject CenturyLink’s request for the service quality rule waiver during the pendency of the requested rulemaking proceeding.

Telephone communication is a basic necessity, allowing older people to maintain social contact, preserve health and safety, and call for assistance in an emergency. People age 65 and older are more likely than any other age group to have landline telephone service in their home.

Therefore, any waiver or elimination of critical consumer protections should be based upon substantive evidence, not generalized statements contending that compliance with those protections is burdensome to industry interests.

In Minnesota as elsewhere, the telecommunications industry is in a state of transition. Copper wires and the associated power-independent TDM (time division multiplexed) form of transmission are giving way to fiber networks and the use of packet-based transmission, such as Internet Protocol (IP). Carriers are also increasing their reliance on wireless transmission. Many new information services have developed and continue to develop which are of great benefit to consumers (including developments in telehealth, telemedicine, electronic commerce, electronic government, and communications services for people with disabilities). However, during this ongoing period of transition and pending the outcome of the requested rulemaking proceeding, all consumers, including older customers who disproportionately maintain phone service through a traditional landline, have a justifiable expectation that their phone service will be repaired in a reasonable timeframe should they experience a loss of service.

There is no need to sacrifice important consumer protections simply because technology evolves as the evolution of networks does not necessarily result in effective competition and indeed could reduce competitive options. In fact, the level of competition that exists varies by product market and by geographic market. Unless and until the requested rulemaking proceeding demonstrates that effective competition exists in Minnesota, regulatory oversight and service quality measures

remain essential to address market imperfections, including those that harm consumers, like prolonged service outages.

We strongly believe that Commission decisions to modify current telecommunications rules and regulations should be evidence based. All residents must be able to partake of the benefits that advancements in telecommunications services make possible within an environment that ensures that essential services are not priced beyond the means of average citizens or beyond the accountability of consumer protections. The requested rulemaking proceeding should be utilized to secure the information consumers and policy makers need in order to chart an appropriate path forward while maintaining a critical lifeline service.

For these reasons, we again urge the Commission to reject CenturyLink's request for service quality rule waiver during the pendency of the potential rulemaking proceeding. Any decision to waive or eliminate critical consumer protections must be based upon substantive evidence.

Thank you for the opportunity to express our position on this important matter. If you have any questions or would like more information please contact us at wphillips@aarp.org or relwood@mnlsap.org.

AARP/LSAP Reply Comments

April 25, 2014

Page 4 of 4

Dated: April 25, 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Will Phillips". The signature is fluid and cursive, with a large initial "W" and a long, sweeping tail.

Will Phillips
AARP Minnesota
State Director

A handwritten signature in black ink, appearing to read "Ron Elwood". The signature is written in a clear, cursive style with distinct lettering.

Ron Elwood
Legal Services Advocacy Project
Supervising Attorney