

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Maurice Gene Hand, Director of)	Application No. DC-71/
the Communications Department of)	NUSF-53
the Nebraska Public Service)	
Commission and Jeffrey L.)	
Pursley, Director of the)	
Nebraska Universal Service Fund)	
Department of the Nebraska)	
Public Service Commission,)	
)	ORDER CLOSING DOCKET
Complainants,)	
)	
v.)	
)	
)	
Qwest Corporation,)	
)	
Respondent.)	Entered: August 30, 2011

BY THE COMMISSION:

On March 2, 2006, Maurice Gene Hand, Director of the Communications Department, and Jeffrey L. Pursley, then Director of the Nebraska Telecommunications Infrastructure and Public Safety Department ("Departments"), filed a departmental complaint against Qwest Corporation, ("Qwest") in response to service quality complaints received from residents of the Valentine, Nebraska exchange of Qwest.

The Departments alleged that Qwest violated Section 2.02A, Adequacy of Service provisions, Section 2.08B, Maintenance of Plant and Equipment provisions, and Progression Order No. 1 in Docket NUSF-26, service quality standards for Eligible Telecommunications Carriers receiving support from NUSF. Qwest timely filed an answer to the complaint.

A hearing on the complaint was held on July 20, 2006, in Valentine, Nebraska.

On September 19, 2006, the Commission entered an order in the above-captioned docket with its Findings and Conclusions. In the order the Commission ordered Qwest to do the following: inspect and test all five (5) rural cable routes in the Valentine exchange, replace any cable in its entirety found to be substandard based upon Commission defined parameters to test results, issue refunds to affected customers that had experienced continued and repeated service quality issues, and to inspect, test, and repair the wiring inside the premises of any affected rural customers. Further, Qwest was to file monthly written reports with specific metrics regarding trouble reports, repeat trouble reports, customer complaints/contacts, outage reports, and progress reports on the testing, repair, and

other projects undertaken by Qwest to address the service quality issues in the Valentine exchange. Lastly, Qwest personnel was required to meet periodically with Commission staff to discuss the reports, update the Commission on progress being made, and address any issues arising in the Valentine exchange.

With the permission of the Hearing Officer, Qwest began filing quarterly written reports in 2009. Qwest and staff have continued to meet periodically.

On September 23, 2009, the Hearing Officer conducted a town hall meeting in Valentine to hear directly from customers living in the Valentine exchange regarding any remaining issues or concerns customers had relative to the quality of telephone service provided by Qwest in the Valentine exchange. Customers generally reported a decrease in trouble reports and service quality issues. Issues raised by some customers were addressed by Qwest during the meeting. Further, the Department requested a report detailing specific information regarding the actions of Qwest to deal with certain issues discussed at the town hall meeting be submitted by October 15, 2009.

On January 4, 2011, the Commission entered an order in Docket C-4280 approving the transfer of control of Qwest to CenturyLink, Inc. ("CenturyLink").¹ As part of the order, the Commission placed certain obligations on the joint entity including quarterly reports regarding monthly retail service parameters. Such reporting is being reported on an exchange by exchange basis, including specific information on the Valentine Exchange.

The Commission has monitored closely the service quality in the Valentine Exchange, specifically focusing on the rural areas of the exchange, and has observed improvement in the service quality issues that formed the basis of the complaint when initiated in 2006. While trouble reports continue to be initiated by Qwest customers, the level and frequency of trouble reports has not approached the levels reported in the 2005 and 2006 timeframe. The levels in the last reports submitted by Qwest in its July 2011 report appear to be similar to levels experienced by Qwest customers in other rural exchanges in Nebraska.

¹ See Docket C-4280, *In the Matter of the Joint Application of Qwest Communications International, Inc., and CenturyLink, Inc. for Approval of Indirect Transfer of Control of Qwest Corporation and Qwest Communications Company, LLC, and Qwest LD Corp*, Granted (January 4, 2011).

The Commission continues to have concerns regarding service quality issues, especially in the more rural areas of Nebraska. The Commission further remains committed to monitoring and reviewing the service quality of all carriers, including the merged CenturyLink and Qwest entity.

The decision to close the above-captioned docket in no way should be construed as a finding that service quality issues in the Valentine Exchange no longer exist. On the contrary, the Commission will continue to closely monitor the Valentine Exchange. The reporting requirements contained in the Docket C-4280 docket obligate Qwest and CenturyLink to continue reporting for all exchanges information regarding service quality similar to the reports required under this docket.² Should the need arise, the Commission and its staff will not hesitate to initiate meetings with appropriate CenturyLink/Qwest staff and request more detailed reports and information. In the event such informal inquiries are not satisfactory to the Commission, the Commission has the authority to initiate another proceeding similar to the above-captioned docket.

Based on the most recent reports submitted by Qwest and the continued reporting obligations in connection with the change of control of Qwest to CenturyLink, it is the finding of the Commission, that the above-captioned docket should be closed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the formal complaint, Docket DC-71/NUSF-53 be, and it is hereby, closed.

MADE AND ENTERED at Lincoln, Nebraska, this 30th day of August, 2011.

COMMISSIONERS CONCURRING: NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS DISSENTING: Chairman
ATTEST:

Deputy Director

² *Id.* at p. 12.

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COMMISSIONERS CONCURRING:

///s//Frank E. Landis
 ///s//Tim Schram
 ///s//Gerald L. Vap

NEBRASKA PUBLIC SERVICE COMMISSION



Chairman

COMMISSIONERS DISSENTING:

ATTEST:




Deputy Director

² Id. at p. 12.