

SUPPLEMENTAL DIRECT TESTIMONY  
OF  
SAMUEL S. MCCLERREN

ENGINEERING DEPARTMENT  
TELECOMMUNICATIONS DIVISION  
ILLINOIS COMMERCE COMMISSION

DOCKET NOS. 04-0209, *et al*,  
PETITIONS FOR WAIVER OF  
83 ILL. ADM. CODE PARTS  
730.510(a) AND 730.510(b)

MARCH 21, 2005

**Q. Please state your name and business address.**

A. My name is Samuel S. McClerren. My business address is 527 E. Capitol Avenue, Springfield, Illinois 62701.

**Q. Have you previously provided testimony in this proceeding?**

A. Yes, I provided Direct Testimony on December 17, 2004.

**Q. What is the purpose of this Supplemental Direct Testimony?**

A. In correspondence sent on January 4, 2005, The Administrative Law Judge (“ALJ”) requested that Petitioners<sup>1</sup> in this proceeding address the following in their testimony for filing on January 19, 2005:

“Please refer to 83 Ill. Adm. Code 730.510 and to Staff Ex. 1.0 at 9. Explain in detail the methods and procedures currently used to answer calls to repair offices, including calls placed at times other than normal business hours.

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<sup>1</sup> 04-0209, Alhambra-Grantfork Telephone Company; 04-0210, Woodhull Community Telephone Company; 04-0211, Diverse Communications, Inc.; 04-0212, Leaf River Telephone Company; 04-0213, New Windsor Telephone Company; 04-0214, Viola Home Telephone Company; 04-0215, Oneida Network Services, Inc.; 04-0216, Oneida Telephone Exchange; 04-0217, Montrose Mutual Telephone Company; 04-0218, Egyptian Telephone Cooperative Association, Inc.; 04-0219, Flat Rock Telephone Co-Op, Incorporated; 04-0220, Gridley Telephone Co.; 04-0221, Hamilton County Telephone Co-Op.; 04-0222, LaHarpe Telephone Company, Inc.; 04-0223, Moultrie Independent Telephone Company; 04-0224, Cass Telephone Company; 04-0225, Mid-Century Telephone Cooperative, Inc.; 04-0229, Adams Telephone Co-Operative; 04-0230, Madison Telephone Company; 04-0231, McNabb Telephone Company; 04-0235, McDonough Telephone Cooperative, Inc.; 04-0250, The Crossville Telephone Company; 04-0254, Home Telephone Co.; 04-0255, Tonica Telephone Company; 04-0278, C-R Telephone Company; 04-0279, The El Paso Telephone Company; 04-0280, Odin Telephone Exchange, Inc.; 04-0281, Yates City Telephone Company; 04-0284, Delta Communications, LLC, d/b/a Clearwave Communications; 04-0393, Reynolds Telephone Company; 04-0409, Grafton Technologies, Inc.; and 04-0410, Grafton Telephone Company. Docket 04-0729, Bergen Telephone Company and Docket 04-0730, Sharon Telephone Company filed similar waiver requests on December 1, 2004, and may also be consolidated into this docket.

Explain whether Petitioner is in compliance with the answering time standards in 83 Ill. Adm. Code 730.510 (a) and (b). Explain the basis for that representation.”

The ALJ’s query framed issues that had been considered by Staff and discussed with Petitioners prior to the ALJ’s request, but perhaps not fully explained in my initial testimony. My supplemental testimony further outlines Staff’s opinions and findings specific to those issues.

**Q. Please describe that section of Part 730 that addresses answer time for calls to repair offices.**

A. Section 730.510(b)(1), regarding business and repair office answer times, states:

Business offices (during normal business hours) and repair offices shall be staffed so that the average answer time, calculated on a monthly basis, shall not exceed 60 seconds.

Repair offices, under the code part as written, would appear to be subject to the requirements of 730.510(b)(1) without the parenthetical “during normal business hours” limitation afforded to business offices.

**Q. What is Staff’s concern about after hours repair office answer times?**

A. Some of the Petitioners indicated they utilize an answering service for after hours repair service calls, which falls clearly within the requirements of Part 730.510(b)(1). However, some of the Petitioners indicated that

they utilize answering machines or voice mail systems to take after hours repair service calls, and in negotiations surrounding the instant waiver requests, Staff has considered whether and under what circumstances the use of an answering machine or voice mail system can be responsive to the 60 second answer time standard.

When Petitioner uses an answering machine or voice mail system to answer after hours repairs calls, it is unclear when a message from a customer regarding a repair issue would actually be heard by a live person representing the carrier. The repair call may be answered by a live person within 60 seconds, but more likely would not be answered within 60 seconds.

**Q. Is it reasonable to require these smaller carriers to have employees dedicated to answering after-hours repair calls, even in the middle of the night?**

A. No. To be able to have a live person available 24 hours a day, seven days a week would require the addition of 3-4 full time employees, a cost-prohibitive option for these smaller carriers given the low-volume of after-hours calls that are probable with the total number of lines served.

**Q. How do the large carriers handle repair service answer calls in the middle of the night?**

A. Based upon my experience and understanding, large carriers - at all hours - rely on a voice response unit that allows the customer the option of dealing with a live operator, or alternatively choosing options through an electronic system. For example, it is entirely likely that a customer calling SBC Illinois to report a repair problem will make that call, report the trouble, and schedule the repair time/date without ever talking to a live person – whether the call is placed during regular business hours or after hours. However, to be responsive to Part 730, at any time in the automated call the customer may “0” out to a live operator. There are enough employees at SBC Illinois (or somewhere in the SBC system) to provide for 24 hour repair answer coverage.

**Q. Shouldn't smaller carriers also have 24 hour coverage for repair calls?**

A. Yes, and I believe they already do meet the intent of the rule. The intent of the rule is to ascertain that a customer has the option of speaking to a live person within 60 seconds. If the customer calls a smaller carrier in the middle of the night to report a repair problem, there are at least three possibilities that are responsive to the rule requirements:

1. The Petitioner has an employee available to answer the repair call at all hours.

2. The Petitioner has an answering service that answers the call within 60 seconds.
3. The Petitioner uses an answering machine or voice mail system that takes the repair call information, but also indicates that in the case of emergency, the customer may call an alternate number that will be answered by a live person.

In my opinion, any of these three scenarios would be responsive to the answer time repair requirements.

**Q. How can the third option of a customer reaching an answering machine or voice mail system get someone out to repair service in the middle of the night?**

A. It's important to remember that just because a call is answered in the middle of the night, it does not mean that the carrier will commence repair on that customer's line in the middle of the night. In fact, that repair job will be put in queue with other work requests, and the carrier – small or large – will perform the repair when their workload permits. If it is an out of service condition, 95% of repairs are to be accomplished within 24 hours – which is likely to mean the next work day, not the middle of the same night. There are no specific requirements in Part 730 regarding how quickly carriers are to respond to a “noise on the line” complaint.

**Q. Explain how the use of an answering machine or voice mail system is responsive to the 60 second answer time requirement.**

A. If the answering machine or voice mail system includes an additional number that the customer can call in the event of an emergency, then it is the customer's choice to either simply leave a message on the carrier's answering machine or voice mail system regarding "noise on the line," or to call the additional number and to be directed to a live person to leave a message about "noise on the line." I submit this is the same concept as the larger carriers using a voice response unit that will take the customer problem, or the customer can still "0" out to a live person. For the small carriers, the customer is simply dialing a new number.

**Q. How is this different from what a large carrier does today with the voice response units that receive a repair service call?**

A. In practice, I submit there is no real difference between calling a voice response unit to schedule a repair, with the option of punching "0" to get a live person, and reaching an answering machine or voice mail system that takes the repair call, but gives you a number to call if you have an emergency. In either procedure, the customer has the opportunity to report the problem to an electronic device. If the customer does not want

to deal with an electronic device, they can either press “0” or call the emergency number.

**Q. Does the actual timing of the repair depend on whether the customer leaves the message on an answering machine or voice mail system or with the live person?**

A. No. The repair person pulling messages off of the answering machine or voice mail system in the morning will queue those jobs in the same manner that calls made to the live person would be scheduled. Alternatively, in some situations, the voice mail system will automatically page the on-call repair personnel when an emergency repair message is received. Each of these options allow for a live attendant to decide how to address the specific emergency.

**Q. What should the Petitioners include in their filings to address the concerns about after hours repair calls?**

A. The Petitioners should include a description of their after hours repair calls procedures. Any of the three following procedures should be an acceptable manner by which customers can report repair problems after hours:

1. The Petitioner has an employee available to answer the repair call at all hours.

2. The Petitioner has an answering service that answers the call within 60 seconds.
3. The Petitioner uses an answering machine or voice mail system that takes the repair call information, but also indicates that in the case of emergency, the customer may call an alternate number that will be answered by a live person.

If the Petitioners indicate any of these procedures either are effective or will be effective by a date certain,<sup>2</sup> I believe the Petitioner will have responded to requirements contained in Code Part 730.510(b)(1).

**Q. Does this question end your testimony?**

A. Yes, it does.

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<sup>2</sup> A date prior to any likely Commission order should be acceptable, such as May 1, 2005, since it would not take long for a Petitioner to implement to any of these options, if indeed changes are necessary.