

REVISED 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

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

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

4  
5 **Q. Have you previously provided testimony in this proceeding?**

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

7  
8 **Q. What is the purpose of this Supplemental Direct Testimony?**

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

12 “Please refer to 83 Ill. Adm. Code 730.510 and to Staff Ex. 1.0 at 9.  
13 Explain in detail the methods and procedures currently used to  
14 answer calls to repair offices, including calls placed at times other  
15 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.

17 Explain whether Petitioner is in compliance with the answering time  
18 standards in 83 Ill. Adm. Code 730.510 (a) and (b). Explain the  
19 basis for that representation.”  
20

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

25

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

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

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

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

36

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

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

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

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

52

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

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

60

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

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

74

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

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

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

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

90

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

93

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

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

106

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

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

118

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

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

127 to deal with an electronic device, they can either press "0" or call the  
128 emergency number.

129

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

133 A. No. The repair person pulling messages off of the answering machine or  
134 voice mail system in the morning will queue those jobs in the same  
135 manner that calls made to the live person would be scheduled.

136 Alternatively, in some situations, the voice mail system will automatically  
137 page the on-call repair personnel when an emergency repair message is  
138 received. Each of these options allow for a live attendant to decide how  
139 to address the specific emergency.

140

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

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

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

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

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

158

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

160   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.