

REBUTTAL TESTIMONY  
OF  
DAVID RUHLAND  
CITIZENS TELECOMMUNICATIONS COMPANY  
OF ILLINOIS

83 ILLINOIS ADMINISTRATIVE CODE PART 730  
STANDARDS OF SERVICE FOR  
LOCAL EXCHANGE TELECOMMUNICATIONS  
CARRIERS

RULEMAKING

DOCKET NO. 00-0596

DECEMBER 5, 2001

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

2  
3 A. My name is David Ruhland. My business address is Frontier Communications,  
4 14450 Burnhaven Drive, Burnsville, Minnesota 55306.

5  
6 **Q. Did you file Direct Testimony in this proceeding?**

7  
8 A. Yes. I filed direct testimony dated November 5, 2001, on behalf of Citizens  
9 Telecommunications Company of Illinois (“Citizens”). My testimony responded  
10 to the testimony filed by Samuel S. McClerren and Cindy Jackson of the Illinois  
11 Commerce Commission on October 1, 2001 and proposed changes to the  
12 definition of “Trouble Report” and “Section 730.545 Trouble Report” included in  
13 the proposed Part 730 Rule. As I pointed out in my direct testimony, Citizens  
14 believes that only troubles associated with “basic local exchange service” should  
15 be considered for trouble reporting purposes.

16

17 **Q. What is the purpose of your rebuttal testimony?**

18

19 A. The purpose of this rebuttal testimony is to respond to certain recommendations  
20 included in the Testimony of Ms. Charlotte Terkeurst on behalf of the Citizens  
21 Utility Board and the Attorney General of the State of Illinois (“CUB/AG”) and

1 the Initial Testimony of Mr. Joseph Riolo on behalf of the City of Chicago  
2 (“City”) on November 5, 2001.

3

4 **Q. Does Citizens support the recommendation of Ms. Terkeurst on behalf of**  
5 **CUB/AG that the proposed Part 730 Rules be revised to specify in more**  
6 **detail the level of disaggregation of service performance data for all local**  
7 **exchange carriers in Illinois?**

8

9 A. No. Specifically, Ms. Terkeurst’s recommendation on page 13 of her testimony  
10 that “carriers should be presumed to disaggregate performance data on an  
11 exchange basis and between business and residential customer classes” should be  
12 rejected. Carriers in Illinois track service performance at differing levels of  
13 disaggregation based on their size, geographic service areas and business needs.  
14 The Illinois General Assembly recognized this when it passed H.B. 2900 and  
15 specifically provided that performance data shall be disaggregated for each  
16 geographic area and each customer class of the State for which the  
17 telecommunications carrier internally monitored performance data as of a date  
18 120 days preceding the effective date of the Public Utilities Act. Citizens has  
19 explained in discovery requests responding to the Attorney General that with a  
20 few noted exceptions it generally tracks service performance on a statewide basis  
21 and that it does not differentiate residential and business performance (Citizens

1 response to AG 26 & 27). This is the way Citizens tracked its performance on  
2 March 2, 2001 (120 days before the effective date of the 2001 amendments to the  
3 Public Utilities Act) and based on the language of H.B. 2900 and the Part 730 rule  
4 proposed by Staff, Citizens should be allowed to track its service performance for  
5 purposes of Part 730 compliance. Ms. Terkeurst's recommendation that all  
6 Illinois carriers disaggregate performance data on an exchange basis and between  
7 business and residential customer classes is inconsistent with Citizens's  
8 performance tracking practice and should be rejected.

9  
10 **Q. Does Ms. Terkeurst's testimony properly characterize how Citizens**  
11 **calculates Out-of-Service conditions repaired within 24 hours?**

12  
13 A. No. Citizens does exclude emergency situations in the calculation OSS  
14 performance and other service measures. On page 18 of her testimony, Ms.  
15 Terkeurst cites Citizens response to AG Discovery Request AG 5 and states that  
16 Citizens does not exclude emergency situations at all. AG 5 asked Citizens to  
17 "specify how the Company currently calculates the average rate of customer  
18 network trouble reports, including the identification of each type of exclusion."  
19 On June 22, 2001, Citizens responded to the AG data request that one of the  
20 exclusions included in its calculation of Network troubles/access lines \*100 was

1            Fault Codes “not associated with Company failure.” Emergency situations fall  
2 into this category of exclusion.

3

4    **Q.    Does Citizens support the recommendation of Ms. Terkeurst on behalf of**  
5            **CUB/AG that the OSS over 24 hours calculation contained in proposed Rule**  
6            **730.535 be modified?**

7

8    **A.**    No. Ms. Terkeurst testifies that the relevant metric is “the percentage of repairs  
9 subject to the 24 hour requirement that are in fact repaired within 24 hours.”  
10 Contrary to Ms. Terkeurst’s testimony, Citizens believes the purpose of the OSS  
11 over 24 hours measure is to determine the percentage of basic local exchange  
12 OSS conditions a carrier restores within 24 hours. To the extent a carrier restores  
13 service impacted by an emergency situation in 24 hours it should be given credit  
14 for that extraordinary performance. Removing “emergency situations” from both  
15 the numerator and denominator in the formula as proposed by CUB/AG would  
16 create a situation in which a company solely concerned about meeting the 95%  
17 restoration standard would have a performance incentive to defer responding to  
18 emergency situations within 24 hours and to instead direct resources at customers  
19 with service outages caused by events other than an emergency situation.  
20 Citizens believes that emergency situations should be in the OSS calculation as  
21 contemplated by “Calculation A” in Staff’s proposed language for part 730.545.

1 .

2 **Q. Does Citizens support CUB/AG's proposed changes to Section 730.545**  
3 **Trouble Reports?**

4

5 A. No. As pointed out in my initial testimony, trouble reports, installation trouble  
6 reports and repeat troubles should be limited to basic local exchange service.  
7 Citizens is very concerned about being able to satisfy the "trouble report"  
8 standards proposed by Staff in proposed Section 730.545, especially since the  
9 standards are not limited to basic local exchange service and would potentially  
10 include every trouble associated with vertical features and advanced services.  
11 Citizens' trouble report rate of 1.9 to 2.7 referred to in Ms. Terkeurst's testimony  
12 will undoubtedly be higher if vertical features and advanced services are included  
13 in the calculation.

14 Ms. Terkeurst's recommendation of CUB/AG that the "repeat trouble"  
15 rate should be reduced from 20% to 10% fails to recognize the correlation  
16 between trouble reports and repeat troubles and that in some instances,  
17 notwithstanding the telephone company's best efforts, certain customer troubles  
18 are inaccurately identified and not repaired during the first repair event. As  
19 pointed out in my initial testimony, the lower the number of trouble reports the  
20 potentially higher the repeat trouble percentage may be since the denominator  
21 used to calculate repeat troubles is reduced. Citizens trouble report rate has been

1 relatively low both as a percentage and in aggregate. The following is a summary  
2 of Citizens trouble report and repeat troubles for August through September.

3	<u>Month</u>	<u>Troubles</u>	<u>%</u>	<u>Repeats</u>	<u>%</u>
4	August	3009	2.7	608	20.2
5	September	2491	2.2	520	20.9
6	October	2634	2.3	455	17.3
7					

8 For August to October, Citizens' trouble reports were 2.7, 2.2, and 2.3 per 100  
9 lines. For this time period, however, Citizen's repeat trouble rates were 20.2%,  
10 20.9%, and 17.3%, largely due to the low number of troubles included in the  
11 denominator of the repeat trouble calculation. This is evidenced by the fact that  
12 Citizens had the highest repeat trouble rate in September, the month with the  
13 lowest number of troubles. As this data reflects Citizens will be challenged to  
14 meet the 20% repeat trouble standard proposed by Staff in Section 730.545. The  
15 Commission should reject the 10% repeat trouble report rate standard proposed  
16 by CUB/AG.

17

18 **Q. Does Citizens support the CUB/AG proposed change in section 730.545(i) to**  
19 **expand the tracking requirements associated with repair appointments?**

20

21 A No. Ms. Terkeurst's testimony proposes to impose additional requirements on  
22 carriers associated with tracking and maintaining records associated with  
23 appointments kept, appointments cancelled with 24 hours notice and missed

1 appointments. Ms. Terkeurst provides no explanation regarding why this change  
2 is needed despite the fact that it would potentially add administrative burdens on  
3 carriers.

4  
5 **Q. Does Citizens support the changes to Part 730 rules proposed by the City of**  
6 **Chicago?**

7  
8 A. No. After reviewing the City's testimony, it is clear that the City's  
9 recommendations are directed at Ameritech. For example, on pages 13-14, Mr.  
10 Riolo's testimony on behalf of the City recommends that the Part 730 rules be  
11 modified to expand the service performance tracking and public reporting  
12 requirements to include eighteen performance measurements on an exchange  
13 basis and eleven measures (some with submeasures) on a distribution or tracking  
14 area basis. Mr. Riolo's testimony suggests that Ameritech may have the systems  
15 and resources in place to track these additional measures but does not consider  
16 whether Citizens or other smaller LECs have the ability to do so. Contrary to Mr.  
17 Riolo's assertion on page 39 of his testimony on behalf of the City, it would be  
18 extremely burdensome and expensive for Citizens and other LECs in Illinois to  
19 track the City's additional proposed service measures, record keeping, facility  
20 assignment and outage notification requirements. The proposed Part 730 rules are  
21 rules of general applicability that will apply to both the largest and smallest LECs

1 in Illinois. The Commission should not impose requirements on all carriers in  
2 Illinois based on the City's frustration with Ameritech.

3

4 **Q. Does this conclude your testimony?**

5 A. Yes it does.