

May 21, 2010

AT&T FINED OVER ONE MILLION DOLLARS!

CWA Local 1298, Attorney General Richard Blumenthal and Mary Healy from the Office of Consumer Counsel have spent the last year at DPUC hearings advocating for better telecommunication service quality for consumers in Connecticut.

Although it was proven in hearings that AT&T has violated at least one key standard, fixing 90 percent of the out-of-service phones within 24 hours since 2001, the DPUC disappointed us terribly in a decision this week by not forcing at&t to pay fines for failing to meet current service quality standards and not strengthening those standards for all telecommunication companies.

Today in an unprecedented move, the DPUC imposed a Civil penalty of \$1,210,000 against AT&T for "**consistently failing to meet the requirement of the 90% of all service repairs received by the Telco in any given 24 hour period to be cleared within 24 hours**".

The result of this work and our determination is a message that even the AT&T corporate barons can hear in their executive suites- provide quality service or be prepared to pay!

Our people can make AT&T the best communications provider in the state- but we need the people to get the job done!

[Click Here for More from NBC](#)

In Our Unity....There is Strength
Elizabeth VanDerWoude
President
CWA Local 4250

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The New Haven Register (nhregister.com), Serving New Haven, CT

News

Conn. DPUC plans to fine AT&T \$1.1 million

Friday, May 21, 2010

By Register Staff

The state Department of Public Utility Control Friday served notice to telecommunications provider AT&T Connecticut of its decision to impose a \$1.1 million fine, because the utility failed to meet a DPUC requirement that it remedy 90 percent of all out-of-service repair calls within 24 hours.

DPUC concluded that AT&T has failed to meet that quality of service metric from 2001 to the present, agency spokesman Phil Dukes said.

AT&T has options to request a hearing or ask for a settlement. If the company fails to respond within 20 days of receipt of the notice by certified mail, DPUC's decision automatically becomes final.

The Communications Workers of America Local 1298 based in Hamden and the state Office of Consumer Counsel hailed DPUC's decision Friday.

Consumer Counsel Mary Healey said that as the statutory advocate for AT&T's customers, she has complained for years that the company was not meeting the key repair standard. "Customers require prompt restoration of their telephone service which is their safety, social and economic lifeline. The DPUC's notice of violation sends a strong message to AT&T that the customer service regulations are going to be enforced by DPUC. OCC applauds that message."

AT&T Connecticut spokesperson Chuck Coursey said the company strongly disagrees with the proposed fine and will immediately request a hearing. "The DPUC has found that AT&T has performed well and has consistently met four out of five service quality metrics. They have also found that the missed, out-of-service metric is more stringent than those of other states and that, unlike many states, there is no exclusion for adverse weather.

It doesn't seem right to penalize a company for not meeting a standard that the DPUC recognizes may need to be revised, especially given the competitive nature of today's telecommunications market."

Check for more updates throughout the day and tomorrow at www.newhavenregister.com.

URL: <http://www.nhregister.com/articles/2010/05/21/news/doc4bf6d67a5b088474278979.prt>

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May 20, 2010

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION AND ASSESSMENT OF CIVIL PENALTY IN THE AMOUNT OF ONE MILLION ONE-HUNDRED AND TWENTY THOUSAND DOLLARS (\$1,120,000)

YOU HAVE TWENTY DAYS (20) FROM THE RECEIPT OF THIS NOTICE TO REQUEST IN WRITING A HEARING BEFORE THE DEPARTMENT OF PUBLIC UTILITY CONTROL

DOCKET NO. 10-04-12

DPUC PROCEEDING PURSUANT TO SECTION 16-41 OF THE GENERAL STATUTES OF CONNECTICUT TO DETERMINE WHETHER THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY d/b/a AT&T CONNECTICUT SHOULD BE FINED FOR FAILURE TO COMPLY WITH QUALITY OF SERVICE STANDARDS FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES

Deborah A. Verbil, Esq.
AT&T Connecticut
310 Orange Street – 8th Floor
New Haven, CT 06510

Re: Notice of Violation and Assessment of Civil Penalty against the Southern New England Telephone Company d/b/a AT&T Connecticut

Dear Ms. Verbil:

A. Summary

Pursuant to the provisions of the General Statutes of Connecticut (Conn. Gen. Stat.) the Department of Public Utility Control (Department) is issuing a Notice of Violation and Assessment of Civil Penalty against The Southern New England Telephone Company d/b/a AT&T Connecticut (AT&T Connecticut or Telco) in the amount of one million one-hundred and twenty thousand dollars (\$1,120,000).

Conn. Gen. Stat. §16-41 provides that each public service company “. . . shall obey, observe and comply with all applicable . . . regulations adopted by the Department of Public Utility Control as long as the same remains in force.” Conn. Gen. Stat. § 16-41 further provides that any such public service company which the Department finds has failed to obey or comply with any such regulation shall be fined by order of the Department, and that each distinct violation of any such regulation shall be a separate offense.

B. Background

Pursuant to Conn. Gen. Stat. §§16-247p and 16-247g and §16-247g-2 of the Regulations of Connecticut State Agencies (Conn. Agencies Regs.), the Department initiated Docket No. 08-07-15 Petition of the Office of Consumer Counsel for Enforcement of Quality of Service Standards for The Southern New England Telephone Company d/b/a AT&T Connecticut (QOS Docket), to determine whether The Southern New England Telephone Company d/b/a AT&T Connecticut (AT&T Connecticut or Telco) was in compliance with the quality of service standards outlined in Conn. Gen. Stat. §16-247p and Conn Agencies Regs.16-247g-2.

Telecommunications providers are subject to quality of service regulations as provided in Conn. Agencies Regs. §16-247g-2. Specifically, Conn. Agencies Regs. §16-247g-2(a) (5), requires that 90% of all out of service (OOS) repairs received by a company in any given 24-hour period be cleared within 24 hours.

On April 8, 2010, the Department initiated this docket to determine whether AT&T Connecticut should be fined for failure to comply with quality of service standards for the provision of telecommunications services.

As a result of its review, the Department has reason to believe that violations of Conn. Agencies Regs. §16-247-g-2(a) (5) have occurred.

C. Violation Details

The Department found in the QOS Docket, that the Telco has never met the 90% standard for the OOS repair metric. Subsequent OOS repair metric filings made by the Telco also show that it was non-compliant. The Telco's monthly OOS metric statistics for January 2001 through December 2008 are appended hereto as Attachment A.

Additionally, subsequent to the data contained in the QOS docket, the Telco has reported the following OOS repair metric, by month for the period January 2009 through April 2010. The Telco's monthly OOS metric statistics for those months are appended hereto as Attachment B.

Although there has been some improvement since the initiation of the QOS docket, the Telco, as demonstrated above, has consistently failed to meet the OOS requirements since 2001. Pursuant to Conn. Gen. Stat. §16-41, the Department finds that it has sufficient grounds to conclude that the Telco has continually and repeatedly failed to comply with the provisions of Conn. Agencies Regs. §16-247g-2(a) (5) since 2001. Specifically, AT&T Connecticut has consistently and repeatedly failed to meet the requirement that 90% of all service repairs received by the Telco in any given 24-hour period be cleared within 24 hours.

D. Imposition of Civil Penalty Fine

Conn. Gen. Stat. §16-41 provides for a fine of not more than ten thousand dollars (\$10,000) for each offense, and defines each distinct violation as a separate offense and, in the case of a continued violation, each day thereof shall be deemed a separate offense. Conn. Agencies Regs. §16-247g-2(b) provides in part, that no later than January 30 and July 30 of each year, each telecommunications provider shall submit to the Department semi-annual reports disaggregated by monthly performance on both a company-wide and wire center or regional levels. Reports of performance below the minimum standard level must be accompanied by a specific explanation of the reasons and the steps necessary to bring performance to an acceptable level. Since the reporting data is disaggregated by monthly performance, the Department has determined that it may consider each month of non-compliance as “a separate offense” as provided in Conn. Gen. Stat. §16-41.

The Department, in light of AT&T Connecticut’s continued non-compliance with the provisions of Conn. Agencies Regs. §16-247g-2(a) (5), hereby imposes upon AT&T Connecticut, a civil penalty in the amount of \$1,120,000 as follows:

- For the years 2001 through 2009, the Department will assess a civil penalty of \$10,000, for each month of non-compliance for a total of nine years or \$1,080,000.
- In addition, the Department will assess \$10,000 per month for January 2010 through April 2010 or \$40,000.
- Accordingly, the total fine assessed shall be \$1,120,000, for consistent failure by AT&T Connecticut to comply with the provisions of Conn. Agencies Regs. §16-247g-2(a) (5).

E. Conclusion

Although the Telco has demonstrated some improvement in its OOS reporting statistics, it has continually and consistently failed to meet the requirement that 90% of all service repairs received by the company in any given 24-hour period shall be cleared

within 24 hours. The Department considers these continual violations to be of a serious nature.

AT&T Connecticut is assessed a civil penalty for the above stated continual violations in the amount of one million one-hundred and twenty thousand dollars (\$1,120,000). Payment of this civil penalty in the sum of \$1,120,000 shall be made by certified check, and delivered no later than 20 days from the date of receipt of this Notice of Violation and Assessment of Civil Penalty, to the office of the Department of Public Utility Control, 10 Franklin Square, New Britain, CT 06051.

AT&T Connecticut has a right to a hearing by delivering to the Department a written application for a hearing within 20 days from the date of receipt of the Notice of Violation and Assessment of Civil Penalty. If a hearing is not requested, then this Notice shall, on the first day after the expiration of the 20-day period, become a final Order of the Department, and the matters asserted or charged in the Notice shall be deemed admitted.

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Notice issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.

Kimberley J. Santopietro
Executive Secretary
Department of Public Utility Control

Date

Attachment A

AT&T's Performance - Out of Service Repair (OOS) Cleared within 24 hours
From January 2001 to December 2008

OOS Repair Standard Requirement: 90%

Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01	Jul-01	Aug-01	Sep-01	Oct-01	Nov-01	Dec-01
64.4	59.2	65.5	66.3	55.6	45.6	56.4	53.4	59.8	74.4	74.9	62.6
Jan-02	Feb-02	Mar-02	Apr-02	May-02	Jun-02	Jul-02	Aug-02	Sep-02	Oct-02	Nov-02	Dec-02
79.7	75.1	69.5	65.8	54.6	55.2	61.2	59.6	53.3	49.3	52.8	49
Jan-03	Feb-03	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03
70.6	71.2	68.9	73.4	74.5	49.1	62.4	50.3	49.2	57.7	50.1	53
Jan-04	Feb-04	Mar-04	Apr-04	May-04	Jun-04	Jul-04	Aug-04	Sep-04	Oct-04	Nov-04	Dec-04
66.5	62	72.5	54.4	56.1	59.1	54.4	52.7	53.7	63.7	71.4	56.5
Jan-05	Feb-05	Mar-05	Apr-05	May-05	Jun-05	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05
54.1	71.9	74.5	59.4	64.6	60.1	47.8	54.9	58.6	34	40.8	48.2
Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06
45.3	49.6	72.1	65.1	52.4	47.4	44.1	49.6	45.9	60.7	60.6	72.4
Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07
78.4	85	81.9	73.5	86.6	66.4	64.6	68.2	77.5	56.4	73	63.1
Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08
60.3	47.8	48.2	63.6	64.0	48.1	49.6	48.6	50.9	69.0	66.7	49.6

