

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. M-100, SUB 139  
DOCKET NO. P-100, SUB 99

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. M-100, SUB 139	)	
In the Matter of	)	
Amendment to Commission Rules	)	
Regarding Electronic Filing	)	ORDER ADOPTING REVISIONS
	)	TO COMMISSION RULES R1-28
DOCKET NO. P-100, SUB 99	)	AND R9-8(d)
In the Matter of	)	
Quality of Service Objectives for Local	)	
Exchange Telephone Companies	)	

BY THE COMMISSION: On November 13, 2013, the Commission issued an Order Implementing Pilot Program for Electronic Filing and Adopting Rule Revisions (Electronic Filing Order), in Docket No. M-100, Sub 139. In the Electronic Filing Order, the Commission implemented a pilot program for electronic filing of documents as part of its new online docket system. The Commission stated that while paper filings would continue to be accepted, public utilities and other parties were strongly encouraged to take advantage of the opportunity to electronically file documents. To implement this pilot program, the Commission revised Commission Rules R1-5(g), R1-25(c), and R1-28 to recognize and allow electronic filing of documents as an alternative to paper filing.

On February 26, 2014, the Public Staff filed a Petition seeking a clarification of the Commission's Order Implementing Pilot Program for Electronic Filing and Adopting Rule Revisions (Clarification Motion). In the Clarification Motion, the Public Staff explained that, pursuant to Commission Rule R9-8(d), telephone companies providing basic local residential or business exchange service in North Carolina<sup>1</sup> are required to file with the Commission quarterly reports regarding performance results on certain service quality objectives. These service quality reports are required to be filed with the Chief Clerk's office in the following forms: an original report, three hard copies, and two electronic copies in Excel on diskette. Upon receipt of these reports, the Chief Clerk's Office forwards copies in hard and electronic format to the Public Staff.

The Public Staff further explained that since issuance of the Electronic Filing Order, some telephone companies have been using the pilot program to file their

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<sup>1</sup> Companies electing regulation under G.S. 62-133.5(h) or G.S. 62-133.5(m) are exempt from this requirement.

service quality reports electronically, but have ceased to provide electronic copies in Excel as required by Commission Rule R9-8(d). The Public Staff continues to have need of electronic copies of the quarterly reports in Excel in order to monitor, prepare reports, and review compliance with Commission Rule R9-8.

The Public Staff thereafter requested that the Commission clarify that the revisions to Commission Rule R1-28 did not eliminate or supersede the requirement in Rule R9-8(d) that a copy of the quarterly report be filed in Excel. Further, the Public Staff requested that the Commission Rules R1-28 and R9-8(d) be revised as proposed in Attachments A and B to the Petition: (1) to clarify that the Electronic Filing Order did not eliminate or supersede the requirement in Rule R9-8(d) that a copy of the quarterly report be filed in Excel; and (2) to simplify the filing procedure by permitting the quarterly reports filed in Excel to be provided directly to the Public Staff at [communications@psncuc.nc.gov](mailto:communications@psncuc.nc.gov).

On March 31, 2014, the Chairman issued an Order Clarifying Electronic Filing Order and Soliciting Comments (Comments Order). In the Comments Order, the Chairman clarified that the Electronic Filing Order should not be interpreted as eliminating or superseding the requirement in Commission Rule R9-8 that companies file two electronic copies of the quarterly reports in Excel on diskette with the Chief Clerk's office. Further, in the Comments Order, the Chairman solicited comments from interested parties regarding the Public Staff's proposal that Commission Rules R1-28 and R9-8(d) be revised as indicated in Attachments A and B: (1) to clarify that the Electronic Filing Order did not eliminate or supersede the requirement in Rule R9-8(d) that a copy of the quarterly report be filed in Excel; and (2) to simplify the filing procedure by permitting the quarterly reports filed in Excel to be provided directly to the Public Staff at [communications@psncuc.nc.gov](mailto:communications@psncuc.nc.gov).

Initial comments regarding the proposed revisions to Commission Rule R1-28 and Commission Rule 9-8 were required to be filed with the Chief Clerk by April 10, 2014. Reply comments were due on or before April 17, 2014.

As of the date of this Order, no comments or reply comments have been filed.

After carefully considering the Petition of the Public Staff and the record proper, the Commission finds that good cause exists to adopt the revisions to Commission Rules R1-28 and R9-8(d) as set forth in Attachments A and B: (1) to clarify that the Electronic Filing Order did not eliminate or supersede the requirement in Rule R9-8(d) that a copy of the quarterly report be filed in Excel; and (2) to simplify the filing procedure by permitting the quarterly reports filed in Excel to be provided directly to the Public Staff at [communications@psncuc.nc.gov](mailto:communications@psncuc.nc.gov).

IT IS, THEREFORE, ORDERED that:

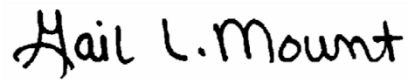
1. Commission Rules R1-28 and R9-8(d) are revised as set forth in Attachments A and B on the effective date of this Order.

2. The Chief Clerk shall deliver a copy of this Order and Attachments electronically to each party in Docket No. P-100, Sub 99.

ISSUED BY ORDER OF THE COMMISSION.

This the 13<sup>th</sup> day of May, 2014.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Gail L. Mount". The signature is written in a cursive, flowing style.

Gail L. Mount, Chief Clerk

**R1-28 GIVING NOTICE OR FILING PAPERS WITH THE COMMISSION BY MAIL;  
ELECTRONIC FILING**

(g) Reports on performance results required to be filed by local exchange telephone companies and competing local providers pursuant to Rule R9-8(d) may be filed electronically, provided that an electronic copy **in Excel** is also provided to the Public Staff. The electronic copy **in Excel** may be emailed to the Public Staff at [communications@psncuc.nc.gov](mailto:communications@psncuc.nc.gov).

(h) Both paper and electronic filings must be received by the Commission by 5:00 p.m. Eastern time to be considered to be filed on that business day. A filing may be made electronically at any time, but filings submitted after 5:00 p.m. Eastern time are considered to be filed on the next business day. A filing that does not comply with all applicable statutes, rules, or orders may be rejected, unless the filing is accompanied by a motion requesting a waiver of the applicable requirement of a rule or order and the motion is granted. If a filing is rejected, the document is deemed not to have been filed with the Commission. A filing that requires a filing fee is not considered to be filed until the fee has been submitted to the Commission.

**R9-8. SERVICE OBJECTIVES FOR REGULATED LOCAL EXCHANGE TELEPHONE COMPANIES AND COMPETING LOCAL PROVIDERS (CLPs).**

(d) Reporting Requirement. Each regulated local exchange telephone company and CLP actually providing basic local residential and/or business exchange service to customers in North Carolina shall file ~~an original, three (3) hard copies, and two electronic copies in Excel on diskette~~ of a report each calendar quarter with the Chief Clerk of the Commission detailing the monthly results of its compliance with Measures 5 – 14 as set forth in this Rule. The report may be filed by either (1) submitting an original, three (3) hard copies, and two electronic copies in Excel on diskette to the Chief Clerk, or (2) submitting the report electronically with the Chief Clerk pursuant to Commission Rule R1-28 and providing an electronic copy in Excel to the Public Staff. The electronic copy in Excel may be emailed to the Public Staff at [communications@psncuc.nc.gov](mailto:communications@psncuc.nc.gov). If the report is not filed pursuant to Commission Rule R1-28, ~~the~~ The Chief Clerk's Office shall forward one hard copy and one electronic copy to the Public Staff – Communications Division. Companies should reflect the company name as certified by the Commission. Additionally, the hard copies and electronic copies on diskette should be clearly marked with the company name, the docket number, and the reporting period. The Commission will specify the format of the report. **Companies not providing service in North Carolina or not providing basic local residential and/or business exchange service to customers in North Carolina shall file a letter, in lieu of a report, each quarter specifying why a report does not have to be filed.**

Each regulated local exchange company and CLP shall report its performance results for the following six objectives on an exchange level:

- Initial Customer Trouble Reports (Measure 9);
- Repeat Reports (Measure 10);
- Out-of-Service Troubles Cleared Within 24 Hours (Measure 11);
- Regular Service Orders Completed Within 5 Working Days (Measure 12);
- New Service Installation Appointments Not Met for Company Reasons
- (Measure 13); and
- New Service Held Orders Not Completed Within 30 Days (Measure 14).

**[COMMISSION NOTE:** After one year, companies may petition the Commission for exemption from the requirement to report these results on an exchange level.]

Each regulated local exchange company and CLP that uses separate call or service centers or service representatives to provide service to their business and residential customers shall file performance results for the following measures for the following categories of customers: (1) all North Carolina business<sup>1</sup> customers; (2) all North Carolina residential customers; and (3) all North Carolina customers:

- Business Office Answertime (Measure 7);
- Repair Service Answertime (Measure 8);
- Out-of-Service Troubles Cleared Within 24 Hours (Measure 11);
- Regular Service Orders Completed Within 5 Working Days (Measure 12);
- New Service Installation Appointments Not Met for Company Reasons (Measure 13); and
- New Service Held Orders Not Completed Within 30 Days (Measure 14).

If a company's residential call or service centers handle the calls or service for small businesses of five lines or less, the company may include the statistics for these small businesses in the residential customer category, but must notate this inclusion and verify that there is no preferential treatment given to either class of customers in its quarterly report.

Companies are not required to report statistics for customer groups that are not served by call or service centers, but on an individual account basis. In the first report following the effective date of the amendments to this rule, each company should note which customer groups are excluded from the report and notify the Commission if customer groups that are excluded should change.

**[COMMISSION NOTE:** After one year, companies may petition the Commission for exemption from the requirement to separately report residential, business, and combined residential and business results for these six objectives.]

The quarterly report shall be filed no later than twenty (20) days after the last day of the quarter covered by the report and the person submitting the report shall verify its accuracy under oath. Such verification shall be in the following form:

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<sup>1</sup> Companies are not required to report statistics for business customer groups that are not served by service or repair centers, but on an individual account basis. In the first report under the new rule, the company should note what business customer groups are excluded. If the company should thereafter change what business groups are excluded, it should notate the change on the first subsequent report.

VERIFICATION UNDER OATH  
REGARDING ACCURACY OF SERVICE OBJECTIVES REPORT

I, \_\_\_\_\_, state and attest that the attached Service Objectives Report is filed on behalf of \_\_\_\_\_ (Name of Public Utility as certificated) as required by North Carolina Utilities Commission Rule R9-8; that I have reviewed said Report and, in the exercise of due diligence, have made reasonable inquiry into the accuracy of the information provided therein; and that, to the best of my knowledge, information, and belief, all of the information contained therein is accurate and true, no material information or fact has been knowingly omitted or misstated therein, and all of the information contained in said Report has been prepared and presented in accordance with all applicable North Carolina General Statutes, Commission Rules, and Commission Orders.

\_\_\_\_\_  
Signature of Person Making Verification

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Date

Subscribed and sworn before me this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**COMMISSION NOTE:** A website reporting section will be added by the Commission at a later date after the Parties have negotiated all of the specific details.