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Re: Chapter 400 Telephone Rules, Preliminary Input of The Way Home

Dear Attorney Fossum:

I am writing on behalf of The Way Home in response to the Commission's invitation for public input on Chapter 400 rulemaking. The Way Home is interested in protecting safe, affordable and reliable basic phone service.

Accordingly, The Way Home is submitting comments related to a new statutory provision, RSA 365:1-a, created by Senate Bill 48, which will be effective August 10, 2012. RSA 365:1-a will provide as follows:

365:1-a Exceptions. Except for complaints about . . . the provisions of this chapter shall not apply to any end user of an excepted local exchange carrier, nor to any service provided to such end user. Such end users may, however, make complaints to the commission regarding the provision of basic service by excepted local exchange carriers.

See Chapter Law 177, 2012; page 3, lines 21-26 of Senate Bill 48. The Way Home interprets the above provision to mean that end users can make complaints about basic service, even if the customer also subscribes to other services. In order to avoid confusion for customers who subscribe to services in addition to basic service, and to avoid discouraging customers from making complaints about basic service to the Commission, the Commission may wish to promulgate a rule clarifying that the Commission does handle complaints about basic service, even if the customer also subscribes to other services.

We suggest that the language of this clarifying rule might read as follows:

An end user may make complaints to the Commission regarding the provision of basic service by an excepted local exchange carrier whether or not the customer also subscribes to any other service offered by the excepted local exchange carrier.

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While the above clarifying rule could be placed in a number of locations in the Chapter 400 rules, the Commission may wish to consider this language as a new subsection after Puc 412.01(c) and as a new subsection in Puc 412.18(i).

We hope that the above clarifying rule will help customers better understand some of the changes resulting from Senate Bill 48.

Please let me know if you have any questions. Please note we do not have a list of those who attended the April 17, 2012 meeting, and there is no service-list online at this time, so please feel free to send a copy of this letter to whomever you see fit.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Feltes", written in a cursive style.

Daniel Feltes
Staff Attorney

Alan Linder
Staff Attorney

cc: Kate Bailey
Amanda Noonan