



**Telephone Network Transition Collaborative
Jan. 19, 2016
Meeting Minutes**

Attendees:

PUCO staff, Connect Ohio, Ohio 911 Program Office, Ohio Telecom Association (OTA), AARP Ohio, Windstream, CenturyLink, Southeastern Ohio Legal Services, Ohio Association of Area Agencies on Aging, Ohio Consumers Counsel (OCC), OCTA, Ohio Poverty Law Center, Buckeye Hills-HVRDD, Cincinnati Bell, AT&T, Lightower, Pro Seniors, TSG Cos., Hobbs Consulting, Bricker & Eckler, LLP, Bailey Cavalieri, Ohio Farm Bureau, Southern Ohio Legal Services, TDS and Dave Bergmann Consultant

Topics discussed:

- IP transition overview presentationⁱ – FCC/Peter Saharko (via teleconference)
- Consumer protection presentationⁱⁱ – OCC/Terry Etter
- OTA/Jon Kelly

FCC presentation questions/comments:

- Consumer advocates voiced concerns regarding battery backup power programs for low income customers that switch to IP-based services that will require auxiliary power during an outage. The senior citizen consumer advocate also voiced concern about battery backup when power outages last beyond the eight hour and twenty-four hour battery backup that is currently available.
 - The FCC presenter stated that this is an issue that is handled by the FCC Public Safety and Homeland Security Bureau (PSHSB).
- The OTA asked about the timing of the IP transition in the coming years.
 - The FCC presenter stated the FCC has not set a specific timeline on the progression of the IP transition.
- Consumer advocates asked if the term “adequate service” will be further defined.
 - The FCC presenter stated that the 2015 Further Notice on Proposed Rulemaking (2015 FNPRM)ⁱⁱⁱ addressed this definition. The presenter further stated that the FNPRM comment period is closed but an Ex Parte letter could be filed in the docket.
- The consumer advocate pointed to the Ohio statutory term reasonable and comparatively priced voice service and asked if the FCC has found any similar services.
 - The FCC presenter stated they are currently looking into this issue.

- The consumer advocate and PUCO staff asked what will be the state’s role in consumer protection and education.
 - The FCC presenter stated the State’s role is vital as stated in the 2014 Notice of Proposed Rulemaking and Declaratory Ruling^{iv} (2041 NPRM) and the 2015 FNPRM.
- PUCO staff asked what phase the AT&T IP-Transition trials are in and what is the timeline for completion of the trials.
 - The FCC presenter stated the timeline is beyond the FCC control and that AT&T has asked for grandfathering of business basic local exchange service which is part of phase one of the trial (phases are zero, one and two).

OCC consumer protection presentation attached questions/comments:

- The consumer advocate stated that there is little to no broadband in southeast Ohio. The consumer advocate asked for the collaborative to do a study on the availability of broadband service in the 30 rural counties in southeast Ohio.

OTA consumer protection presentation summary:

- There are several other issues related to consumer protection, such as universal connectivity, affordability, public safety, reliability, expanded availability of advanced services and competition. OTA intends to address these issues in the collaborative and advises to not approach them with an “us versus them” mentality.
- The new law provides for consumer protection by ensuring no customer is left behind in the technology transition. The incumbent local exchange carriers who will eventually withdraw basic local exchange service for newer advanced services are not in business to lose customers.
- OTA members will work with all interested stakeholders to ensure public education on the transition is appropriate and thorough.
- Competition is part of consumer protection in that it allows consumers to have more choices since the carriers must earn the customers’ business in not only price, but on customer service and experience.
- The collaborative should be mindful of the FCC’s customer proprietary network information (CPNI) rules to ensure compliance and protect consumers’ interests.
- Social service agencies and others involved in the collaborative process can help achieve goals by identifying at-risk customers early in the process to help ensure a successful transition.

OTA presentation questions/comments:

- PUCO staff asked the presenter to explain the CPNI issue.

- The OTA presenter states that the FCC has a rule that telephone companies cannot divulge information about customers and their services. The presenter also stated that the FCC will have to deal with the issue of customer identification and how it affects the CPNI rule. The presenter further stated that customer self-identification is a way around the rule.

General questions/comments:

Staff comments:

- Have the OTA members given thought to what the companies will do to educate consumers?
 - An OTA member stated that typically bill messages, email and text messages (if authorized) are effective. The member also stated that two-way communications such as web chatting with or calling customer service representatives could also be a method used. The member further stated that methods used are evolving and it is too early in the process to state affirmatively which method(s) each company may use to educate its customers. The industry will know more about the methodology and education format closer to the actual roll out.
- Has the industry contemplated using town hall meeting, libraries or community centers as a method to educate consumers?
 - AT&T Ohio representative stated that it is using some of these methods in its IP trial, but these methods may not be scalable or efficient for larger populations.
- How would a customer self-identify?
 - A community organization/agency representative stated it and other community agencies could help their clients to self-identify during its information gathering process via surveys and client questionnaires. A representative also stated that the process of self-identification should be made easy for consumers.
- In response to a comment on the current deficiencies in cellular coverage in certain regions of the state, PUCO staff stated that there are two issues, universal connectivity and consumer education, which must be addressed by the collaborative in this regard. PUCO staff further stated that the collaborative will need the help from all parties to provide solutions to address each issue.

Consumer advocates and non-incumbent local exchange carrier (ILEC)/competitive local exchange carrier (CLEC) comments:

- A community organization/agency representative suggested that the collaborative partner with social service agencies, such as the Ohio Department of Medicaid, to help

with consumer education. The representative stated that these agencies can provide information about medical devices that require the use of landlines.

- A consumer advocate representative stated that there are concerns about customer notification and scalability because there is no internet, text or email in pockets of southeastern Ohio due to the terrain. The representative suggested the use of public service announcements and the local newspapers as methods to educate consumers. The representative also stated that broadband expansion information/plan for southeastern Ohio would be helpful. A consumer advocate representative also suggested educating family members and caretakers. A representative further stated that education is meaningless if the customer does not have access to alternative services.
- The Connect Ohio representative stated that there are statewide maps displaying broadband coverage, in the aggregate and as detailed as specific addresses, that is current as of June 2015.

ILEC/CLEC comments:

- An ILEC representative stated that medical devices that are supported by copper landlines are still supported on VoIP. The representative also stated the new technology, such as fixed wireless, will also support medical device in the near future.

Action items

- For exploration on how self-identification for at-risk consumers can occur.
- Be prepared to discuss public safety, affordability and competition at the next meeting.

Next meeting: Feb. 23, 2016 at 1:00 p.m. at the PUCO offices

ⁱ <http://www.puco.ohio.gov/puco/index.cfm/be-informed/consumer-topics/telephone-network-transition/fcc-presentation-jan-19-2016/>

ⁱⁱ <http://www.puco.ohio.gov/puco/index.cfm/be-informed/consumer-topics/telephone-network-transition/ohio-consumers-counsel-presentation-jan-19-2016/>

ⁱⁱⁱ *In the Matter of Technology Transitions, et al.*, GN Docket No. 13-5, et al., Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, 30 FCC Rcd. 9372 (Released August 7, 2015) (2015 FNPRM).

^{iv} *Technology Transitions et al.*, GN Docket No. 13-5 et al., Notice of Proposed Rulemaking and Declaratory Ruling, 29 FCC Rcd. 14968 (Released November 21, 2014) (2014 NPRM).