

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA  
1325 G STREET, NW, SUITE 800  
WASHINGTON, DC 20005**

**ORDER**

**April 13, 2016**

**FORMAL CASE NO. 1102, IN THE MATTER OF THE INVESTIGATION INTO THE  
CONTINUED USE OF VERIZON WASHINGTON, DC, INC.'S COPPER  
INFRASTRUCTURE TO PROVIDE TELECOMMUNICATIONS SERVICES, Order No.  
18169**

**I. INTRODUCTION**

1. By this Order, the Public Service Commission of the District of Columbia ("Commission") reviews Verizon Washington, DC Inc.'s ("Verizon DC") Confidential Compliance Filing required by Order No. 18115<sup>1</sup> ("Second Compliance Filing").<sup>2</sup> The Commission finds that the documents in the Second Compliance Filing comply with the Commission's directives in Order Nos. 18051<sup>3</sup> and 17952.<sup>4</sup>

**II. BACKGROUND**

2. In Order No. 17045, the Commission opened this proceeding to investigate Verizon DC's continued use of its copper infrastructure for the provision of telecommunications services in the District of Columbia and whether, and under what circumstances, the Company plans to transition customers from the telecommunications services provided over copper facilities to telecommunications services provided over fiber facilities. As a part of this proceeding, the Commission indicated that it planned to, among other actions, request specific information from Verizon DC and seek input from interested persons.<sup>5</sup>

3. Evidentiary hearings were held January 22 and 23, 2015. On September 1, 2015, the Commission released Order No. 17952, making findings of fact and conclusions of law regarding the nine issues in this proceeding. As part of that Order, the Commission found that Verizon DC was using the language of Section C.5 of Verizon DC's General Regulations Tariff,

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<sup>1</sup> *Formal Case No. 1102, In the Matter of the Investigation into the Continued Use of Verizon Washington, DC, Inc.'s Copper Infrastructure to Provide Telecommunications Services, ("Formal Case No. 1102")*, Order No. 18115, rel. March 2, 2016.

<sup>2</sup> *Formal Case No. 1102, Verizon Washington, DC Inc.'s Confidential Compliance Filing Required by Order No. 18115 ("Second Compliance Filing")*, filed April 1, 2016.

<sup>3</sup> *Formal Case No. 1102*, Order No. 18051, rel. December 4, 2015.

<sup>4</sup> *Formal Case No. 1102*, Order No. 17952, rel. September 1, 2015.

<sup>5</sup> *Formal Case No. 1102*, Order No. 17045, rel. January 17, 2013.

P.S.C.-D.C. No. 201 (“Section C.5”) beyond the intent of the original tariff in requiring residential and small business customers to provide commercial power to Verizon DC equipment used to support voice service provided over fiber facilities.<sup>6</sup> The Commission then directed Verizon DC to amend Section C.5 to remove residential and small business customers from the purview of this tariff.<sup>7</sup> In addition, the Commission found that several customer service scripts, Methods and Procedures (“M&P”) documents, training materials, and customer materials did not provide adequate disclosures regarding battery backup and the fact that FiOS Digital Voice (“FDV”) service is an unregulated service. The Commission then directed Verizon DC to update several of its scripts, M&P, training materials, and customer materials to provide more complete information to consumers.<sup>8</sup>

4. On October 1, 2015, Verizon DC filed an Application for Reconsideration, contesting the mandate to amend Section C.5 of Verizon DC’s General Regulations Tariff, P.S.C.-D.C. No. 201 to exclude small business customers from the provisions of this tariff.<sup>9</sup> In Order No. 18051, the Commission granted in part Verizon DC’s Application and modified the requirement to amend Section C.5 to remove any references to residential and basic business customers. By that same order, the Commission also renewed its requirements for Verizon DC to file the amended tariff and the amended customer service scripts, M&P, documents, training materials, and customer materials.

5. On January 19, 2016, Verizon DC filed eight documents required by Order Nos. 17952 and 18051.<sup>10</sup> The first, “Network Evolution Methods and Procedures,” was the current version of the M&P document for Customer Sales and Service Center representatives handling repair calls from voice and High Speed Internet customers who have been identified for potential migration. The second, “Network Evolution Provisioning and Repair Process,” was the current version of the M&P for technicians dispatched on installation or repair calls for customers identified for potential migration.<sup>11</sup> The third, “Transport Pair Change Automation,” (“TPCA”) was the current version of the M&P for technicians dispatched in response to a trouble reported for voice customers who have been identified for potential migration. The fourth document, “Overcoming Common Customer Objections – FTTP/FiOS,” was the current version of the M&P for technicians to address the most frequently asked questions or concerns from potential or current customers about migrating to fiber facilities. The fifth document was the “Fiber Welcome Kit,” which is the current version of the welcome kit provided when regulated voice service is installed on or migrated to fiber facilities. The sixth attachment provides screenshots

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<sup>6</sup> Order No. 17952, ¶ 545.

<sup>7</sup> Order No. 17952, ¶ 571.

<sup>8</sup> Order No. 17952, ¶ 572-576.

<sup>9</sup> *Formal Case No. 1102*, Application of Verizon Washington, DC Inc. for Reconsideration of Order No. 17952 (“Verizon DC Application”), filed October 1, 2015.

<sup>10</sup> *Formal Case No. 1102*, Verizon Washington, DC Inc.’s Confidential Compliance Filing Required by Order Nos. 18051 and 17952 (“Compliance Filing”), filed January 19, 2016.

<sup>11</sup> Compliance Filing at 1.

of the battery disclosure and customer acknowledgement portions of the close process for installation and maintenance tickets that involve the installation of fiber facilities. The seventh document, "FiOS On-Boarding Disclosure Updates Job Aid," educated customer service representatives on revisions to the scripting in the ordering system for providing the disclosure that FDV service is not regulated by a state public utility commission or other state utility authority. The final document, the Revised Tariff Page, contained the new Section C.5.<sup>12</sup>

6. On January 21, 2016, Verizon DC filed a Corrected Confidential Compliance Attachment 6 ("Corrected Attachment 6").<sup>13</sup> This filing included additional information on 911 disclosures provided during the close process.

7. In Order No. 18115, the Commission approved six of the eight documents filed in Verizon DC's Compliance Filing and Corrected Attachment 6. However, the Commission found that Confidential Attachment 1, the Network Evolution M&P, and Confidential Attachment 3, the TPCA M&P, required changes to make them fully compliant with Order Nos. 17051 and 18051. The Commission required Verizon DC to revise Confidential Attachment 1 and Confidential Attachment 3 as directed in Order No. 18115 and file new versions of these documents within 30 days.<sup>14</sup>

8. On April 1, 2016, Verizon DC filed its Second Compliance Filing, including revised versions of the Network Evolution M&P and the TPCA M&P.

### III. DISCUSSION

#### A. Network Evolution M&P

9. In Order No. 18115, the Commission reviewed the Network Evolution M&P. While the Commission found some of the language consistent with the directives in Order Nos. 17952 and 18051, the Commission discovered a problem with other language in the document. **[BEGIN CONFIDENTIAL INFORMATION]**

**[END CONFIDENTIAL INFORMATION]** language that Commission found to violate the Commission's interpretation of Term 9 of the *Formal Case No. 1057* Settlement Agreement as well as the directives in Order No. 17952 to ensure that customers know that they have the right to retain copper facilities.<sup>16</sup> The Commission directed Verizon DC to amend the Network Evolution M&P to have it read: **[BEGIN CONFIDENTIAL INFORMATION]**

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<sup>12</sup> Compliance Filing at 2.

<sup>13</sup> *Formal Case No. 1102*, Corrected Confidential Compliance Attachment 6, filed January 21, 2016.

<sup>14</sup> Order No. 18815, ¶ 31.

<sup>15</sup> Compliance Filing, Confidential Attachment 1 at 8, 16, 20.

<sup>16</sup> Order No. 17952, ¶ 389.

[END

**CONFIDENTIAL INFORMATION]**

10. In reviewing the Network Evolution M&P filed in compliance with Order No. 18115, the Commission finds that it includes the language mandated by Order No. 18115. Thus, the Commission approves this language and directs Verizon DC to use this version of the Network Evolution M&P when communicating with Verizon DC customers.

**B. Transport Pair Change Automation M&P**

11. In Order No. 18115, the Commission reviewed the battery backup unit ("BBU") disclosures provided in the TPCA M&P. The Commission rejected the BBU language in this because it did not include a statement **[BEGIN CONFIDENTIAL INFORMATION]**

**[END CONFIDENTIAL INFORMATION]** The Commission found that this language was inconsistent with the language in the Network Evolution M&P **[BEGIN CONFIDENTIAL INFORMATION]**

**[END CONFIDENTIAL INFORMATION]** The Commission directed Verizon DC to modify the BBU language in the TPCA M&P to make it consistent with the BBU language in the Network Evolution M&P.<sup>18</sup>

12. In reviewing the BBU language in the TPCA M&P included in the Second Compliance Filing, the Commission finds that this language is consistent with the directives in Order No. 18115. Thus, the Commission approves this language and directs Verizon DC to use this version of the TPCA M&P when communicating with Verizon DC customers.

**THEREFORE, IT IS ORDERED THAT:**

13. The Network Evolution Methods and Procedures and Transport Pair Change Automation Methods and Procedures documents included in Washington, DC Inc.'s Confidential Compliance Filing required by Order No. 18115 are **APPROVED**; and

14. Verizon Washington, DC Inc. shall use the versions of the Network Evolution Methods and Procedures and Transport Pair Change Automation Methods and Procedures documents included in Washington, DC Inc.'s Confidential Compliance Filing required by Order No. 18115 and approved in this Order when communicating with Verizon Washington, DC Inc. customers.

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<sup>17</sup> Order No. 18115, ¶ 10.

<sup>18</sup> Order No. 18115, ¶ 15-16.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

A handwritten signature in black ink, reading "Brinda Westbrook-Sedgwick". The signature is written in a cursive, flowing style.

CHIEF CLERK:

BRINDA WESTBROOK-SEDGWICK  
COMMISSION SECRETARY

