



# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC UTILITY CONTROL

**Anthony J. Palermino**  
*Commissioner*

### THE ENERGY & TECHNOLOGY COMMITTEE

#### House Bill 6608: AAC CONSUMER PROTECTION IN TELECOMMUNICATIONS COMPANIES

March 5, 2009

#### TESTIMONY OF THE DEPARTMENT OF PUBLIC UTILITY CONTROL

The Department of Public Utility Control (Department) would like to comment on House Bill No. 6608. House Bill No. 6608 would revise the existing quality of service statute, Conn.Gen. Stat. § 16-247p to include specific performance standards and performance-based reporting requirements for both retail and wholesale service providers in Connecticut.

While this bill seems to have risen from the Department's attempt to address the need to improve requirements for quality of service, this new bill would set standards statutorily and through the adoption of regulations for retailers and whole sale providers of telecommunications companies.

As the Department mentioned in the testimony provided on its version of HB 6608, the DPUC does not believe that creating statutory parameters for retail and wholesale providers is conducive to a robust competitive telecommunications marketplace because they do not recognize the provider/customer relationship nor would they offer the flexibility required by the providers and customers to negotiate services and interconnection agreements. As the Committee is well aware, the Department for years has been advocating to establish wholesale quality standards through administrative proceedings rather than through statute.

Moreover, the Department reminds the Committee that there is currently an open docket reviewing AT&T's quality of service issues before it to address complaints from the Office of Consumer Counsel and the Attorney General's Office. The Department takes these complaints very seriously and hopes to have a final decision ready by this spring. Also, while the statute references wholesale services the proposed metrics/requirements, the bill only speaks to retail services. There is no mention of setting similar quality standards for wholesale services. In the Department's opinion, this is the area in need of clearer standards. Currently, wholesale service metrics/requirements are subject to federal rulings and agreed to during interconnection agreements, some approved by the Department, some not. Additionally, the proposed retail metrics/requirements could be considered discriminatory since they would apply only to AT&T, Verizon and Cox Telecom. All other providers (CATV Telecom affiliates) are exempt from the current requirements, reporting any results to the Department and therefore, would also be exempt from those proposed in 6608.

Finally, the August 2009 due date is unrealistic because while the metrics would not apply to the majority of providers, they would have to participate in any regulation making proceeding before the Department. As such, the Department would respectfully ask for additional time in which to complete such a proceeding.

The Department thanks the Committee for this opportunity to provide testimony in this matter.