

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Evaluate Telecommunications Corporations Service Quality Performance and Consider Modifications to Service Quality Rules	R.11-12-001
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**EMERGENCY MOTION OF THE UTILITY REFORM NETWORK (TURN)
URGING THE COMMISSION TO TAKE IMMEDIATE ACTION TO PROTECT
VERIZON CUSTOMERS AND PREVENT FURTHER DETERIORATION OF
VERIZON'S LANDLINE NETWORK**

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I. INTRODUCTION

Pursuant to Rule 11.1 of the Commission's Rules of Practice and Procedure, The Utility Reform Network ("TURN") hereby requests the Commission to take immediate action to protect the interests of Verizon California's customers and prevent further deterioration of Verizon's landline network. This motion is appropriately filed in R.11-12-001 because the actions of Verizon addressed herein are directly related to issues within the scope of this docket. Verizon is engaging in business practices that are contrary to its statutory obligation to provide adequate service and are harmful to the interests of its California customers. Specifically, Verizon is deliberately neglecting the repair and maintenance of its copper network with the explicit goal of migrating basic telephone service customers who experience service problems. These migrations are often without the customers' knowledge or consent. Moreover, Verizon is migrating these customers to a largely deregulated fiber-based telephone service that is inferior to basic phone service in certain key respects. TURN urges the Commission to immediately implement the remedies, discussed below in Sections III and VIII, to prevent further unlawful deterioration of Verizon's copper network and protect the interests of Verizon's California customers.

II. SUMMARY OF VERIZON'S ACTIONS TO DEGRADE SERVICE QUALITY.

A key set of issues in this case, as outlined in the Assigned Commissioner's September 24, 2012 Scoping Memo and Ruling in R.11-12-001 ("Scoping Memo"), relates to adequacy of telephone plant, including whether telecommunications facilities are being appropriately maintained, whether services are provided in a manner consistent with

public safety, and whether company business practices affect service quality experienced by customers.¹ As a regulated telephone corporation and carrier of last resort, Verizon is obligated to maintain adequate facilities, including performing repairs necessary to provide basic telephone service of reasonable quality to its customers.² As demonstrated below through information already in the record, complaints submitted to the CPUC by Verizon's California customers from cities such as Long Beach, Cerritos and Torrance (addressed in this motion) and evidence about Verizon's business practices in other states, TURN will show that Verizon has failed to meet its statutory obligation to furnish and maintain adequate facilities necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public. Specifically:

- 1) Verizon does not adequately repair and maintain the copper network necessary to provide regulated basic telephone service (and other telecommunications services). Instead, Verizon deliberately allows its regulated network to deteriorate.
- 2) In some cases, Verizon refuses to repair the copper plant necessary to provide regulated landline telephone service when basic telephone service customers request repair.
- 3) Verizon has a policy and practice of surreptitiously "migrating" unwitting California basic phone service customers who request service repair away from their phone service of choice to other Verizon services, such as FiOS (which is a largely deregulated VoIP phone service) and possibly to a new fixed wireless service called Voice Link. Customers are migrated to FiOS in neighborhoods where fiber has been installed with planned migration to Voice Link in non-FiOS neighborhoods. In the case of FiOS migration, at least some customers are not informed that they are being migrated. Furthermore, customers are not informed of the ramifications of being moved from regulated basic phone service to a largely deregulated VoIP phone service, with diminished consumer protections, that is inferior to basic phone service

¹ Scoping Memo, pp. 4-5, 5-6, 9.

² PU Code §451, cited in Scoping Memo, p. 9.

in certain important respects, including superior reliability during prolonged power outages.

- 4) It is unclear whether a trouble ticket is always generated when a customer calls in requesting repair and is migrated to FiOS, or whether only an installation order for FiOS is created. If trouble tickets are not generated it would have the effect of reducing the number of trouble tickets and reduce the magnitude of service quality problems reflected in Verizon's service quality reports to the Commission, pursuant to G.O. 133-C.
- 5) Verizon misleads or lies to basic phone service customers who request service repair about its attempts to migrate them to a different service. Verizon does not always inform customers that they are being migrated to FiOS. In some instances, Verizon has migrated senior citizens without their consent.
- 6) Many customers who call repair centers to have their copper-based landline service repaired become upset when Verizon tries to install FiOS instead of repairing the phone line.
- 7) Regarding Verizon's desire to migrate customers to Voice Link, a customer of basic telephone service who makes two calls to a Verizon repair center for outside plant problems within six months is deemed a "chronic customer." Nationally, it is Verizon's goal to migrate "chronic customers" to Voice Link, in lieu of maintaining and repairing copper plant and there is no reason to think that this national goal will not be pursued in California.

Verizon's efforts to deceive customers and its policies and practices pertaining to inadequate maintenance, and customer migration instead of repair are directly tied to this docket because these deceptive practices occur as a result of a basic telephone service customer contacting Verizon to request phone service repair. These issues are addressed in more detail in Section V of this Motion.

As discussed in Sections VI and VII, Verizon's policy and practice of failing to maintain and repair service and then "migrating" customers away from copper-based landline to FiOS or Voice Link in California is similar to Verizon's efforts in New York, New Jersey and the District of Columbia to abandon copper plant and force customers to Voice Link. These efforts have been opposed by numerous parties, including the New York Attorney General's Office, CWA District 1, AARP, first responders, Competitive Local Exchange Carriers (CLECs), the D.C. Office of People's Counsel, elected officials and thousands of residents of the communities where Verizon is refusing to restore copper-based landline telephone service.

Further, in Section VI we address the harm to customers caused by Verizon's business practices aimed at customer migration through deliberate neglect of its network. Basic telephone service customers migrated to FiOS lose valued regulatory protections. FiOS is a fiber-based Voice over Internet Protocol (VoIP) service. Given recent state legislative action, carriers like Verizon will likely assert that digital voice service offered through FiOS is not subject to most of the universal service and consumer protection requirements that apply to non-VoIP, copper-based landline basic telephone service. As further explained in Section VI, Voice Link is a newly introduced fixed wireless service that is functionally inferior to regulated, non-VoIP, copper-based landline telephone service in several key respects. Both FiOS and Voice Link rely on the public power system and during lengthy power outages, phone service -- including access to 911 -- will cease to operate when the batteries at a customer's home are depleted.

The need for immediate Commission action to prevent further unlawful degradation of Verizon's network and put a halt to Verizon's unscrupulous treatment of its

basic telephone service customers is clear. In Section VIII of this motion, TURN recommends actions that the Commission should take to preserve service quality and protect Verizon's customers.

III. SUMMARY OF REQUESTED RELIEF

TURN requests that the Commission take the following actions.

- 1) The Commission should issue an order requiring Verizon to: 1) repair the service of copper-based landline telephone service customers who contact the repair center; 2) restore copper-based service to customers who wished to retain it but were migrated to FiOS or Voice Link; and 3) cease the deceptive and misleading marketing practices reported by Verizon customers in their complaints to the Commission. (See Attachment 1 and Section V of this motion.)
- 2) The Commission should investigate whether, and to what extent, Verizon's customer migration practices and failure to maintain the copper network in certain communities take unfair advantage of senior citizens, customers on low incomes and limited English speaking populations.
- 3) The Commission should require Verizon to provide data, by location, on the number of customers who have been migrated and where the data indicates even minor concentrations of customer migrations, those areas should be included in the examination into the adequacy of Verizon's network maintenance and investment described in the September 24, 2012 Scoping Memo.
- 4) The Commission should determine whether a customer call to Verizon's repair line results in Verizon generating a trouble ticket when the customer is voluntarily or involuntarily migrated. There are indications in the customer complaints that trouble tickets may not be generated in all instances. If this is the case, the data reported by Verizon pursuant to Commission service quality reporting requirements may be misleading and may understate Verizon service quality problems.
- 5) The Commission should require Verizon to provide proof that customers who have been migrated to FiOS "receive the same voice service at the exact same monthly price" and continue to be "subject to the same

regulatory oversight as the customer's previous copper-based service" as previously represented to the Commission by Verizon.³

- 6) Once the Commission issues the order to cease and desist its misleading marketing practices, Verizon should be required to submit to the Commission all information provided to customers pertaining to customer migration and all training material, customer representative scripts, technician scripts and other directions to Verizon employees regarding its copper repair and customer migration practices.
- 7) The Commission should verify whether Verizon has complied with the requirements of D.10-01-026 and provided customers migrated to FiOS or Voice Link with mandated information on back-up power requirements for these services to function during power outages.
- 8) The Commission should move promptly to prevent further unlawful deterioration of Verizon's network. In accordance with the Scoping Memo in this docket, the Commission should move as quickly as possible to fully investigate whether Verizon (and AT&T) is adequately maintaining its copper network. This requires issuance of the RFP as described in the September 24, 2012 Assigned Commissioner's Ruling and Scoping Memo.
- 9) As part of the Commission's investigation, Verizon should be required to provide the CPUC with data regarding the number of employees transferred to Voice Link and hired to provide Voice Link. Verizon should be required to provide CPUC with data regarding the expenditures for customer migration and investment in Voice Link so that the Commission can compare the resources Verizon has devoted to migrating customers with the resources Verizon has devoted to maintaining its copper-based basic telephone service.

IV. THE RECORD TO DATE ALREADY SHOWS THAT VERIZON HAS FAILED TO MEET IT'S STATUTORY OBLIGATIONS TO PROVIDE ADEQUATE SERVICE.

As the September 24, 2012 Scoping Memo recognizes, Public Utilities Code ("PU Code") § 451 requires all utilities, including Verizon, to:

³ R.11-12-001, Reply Declaration of Thomas Maguire for Verizon California, March 12, 2012, para. 8. ("Maguire Declaration").

[f]urnish and maintain such *adequate*, efficient, just, and reasonable service, instrumentalities, equipment, and *facilities, including telephone facilities*, as defined in Section 54.1 of the Civil Code, *as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.*⁴ (*emphasis added*)

Further, both the Order Instituting Rulemaking (“OIR”) and Scoping Memo in this docket acknowledge that the Commission has a statutory duty to ensure that telephone corporations such as Verizon provide customer service that meets “reasonable statewide service quality standards including, but not limited to, standards regarding network technical quality, customer service, installation, repair and billing” under PU Code § 2896.⁵ The Scoping Memo states that the Commission “has a responsibility to ensure that services overseen by the Commission are provided in a manner consistent with the public safety.”⁶

The OIR contains evidence suggesting that Verizon has not adequately maintained its landline network and has failed to comply with the service quality standards set forth in G.O. 133-C. The OIR included as an attachment the March 2011 Communications Division Staff Report (“CD Report”) which states that Verizon “did not meet the Out-of-Service repair standard for all of the reporting months of 2010.”⁷ The CD report documents the facts that during the Southern California storms of December 2010, Verizon had approximately 73,047 storm related trouble tickets, of which 18,262 (25 percent) were not cleared within six days and that approximately 7,100 lines (10 percent)

⁴ PU Code §451, cited in Scoping Memo, p. 9.

⁵ See, OIR, p. 2; Scoping Memo, p. 5; both citing D.09-07-019, p. 12, PU Code § 2896.

⁶ Scoping Memo, p. 5-6.

⁷ OIR, p. 6; California Public Utilities Commission, Communications Division, *Report on Telephone Carrier Service Quality for the Year 2010*,” March 2011, p. 7.

were still not repaired for at least two weeks.⁸ The Scoping Memo states that one conclusion that might be drawn from the CD Report is that “existing competitive forces and minimal standards are not sufficient to provide the service quality the Commission is required to ensure, and the level of public safety the Commission is committed to upholding.”⁹

Further evidence of Verizon’s failure to adequately maintain its facilities was presented at the Commission’s January 31, 2013 Workshop, and addressed in both the Post Workshop Comments of the Communications Workers of America, District 9 and the Post-Workshop Comments of TURN and CALTEL. Attachment 1 to CWA’s comments contains pictures illustrating Verizon’s poor maintenance practices in both Chico and Southern California, including improperly secured and exposed cable covered by a plastic bag.¹⁰ The TURN/CALTEL comments quote Verizon’s Chief Financial Officer, Fran Shammo, on the company’s business plan to degrade copper facilities:

Then the third strategic thing we are doing that I think improves our margins is we are really proactively going after these copper customers in the FiOS footprint and moving them to FiOS. So if you are a voice copper customer and you call in that says you are having trouble on your line, when we go out to repair that we are actually moving you to the FiOS product. We are not repairing the copper anymore.¹¹

The TURN/CALTEL comments also memorialized information presented at the workshop

⁸ CD Report, p. 12.

⁹ Scoping Memo, p. 6.

¹⁰ R. 11-12-001, Post-Workshop Comments of the Communications Workers of America, District 9 February 28, 2012, Attachment 1.

¹¹ R. 11-12-001, Post-Workshop Comments of The Utility Reform Network (TURN) and CALTEL ("TURN/CALTEL Post-Workshop Comments") February 28, 2012, p. 1, citing to THOMSON REUTERS STREETEVENTS EDITED TRANSCRIPT VZ – Verizon at Oppenheimer Holdings, Inc. Technology, Internet & Communications Conference, AUGUST 15, 2012, p. 12.

http://www.22.verizon.com/idc/groups/public/documents/adacct/oppenheimer_vz_transcript.pdf

regarding the adequacy of Verizon's workforce. From 2006-2012 Verizon reduced its California workforce by over 2,600 employees.¹² Moreover, while Verizon claimed to have increased its technical staff, in reality those positions were due to the hiring of non-union *inside plant* technicians who have been trained to exclusively work in the home to install FiOS,¹³ but *not* trained to repair and maintain outside plant. Instead, Verizon has *reduced* the staff that have the experience and training necessary to maintain outside plant.¹⁴ Further, at the workshop and as reflected in the TURN/CALTEL Comments, TURN described information provided to TURN by a Verizon service technician from a rural area of Southern California to make the point that there is a relationship between investment, staffing, service quality and Verizon's policy to "migrate" customers away from copper-based non-VoIP landline to fiber. Specifically, approximately two-and-one half years ago Verizon stopped routinely inspecting and maintaining batteries in remote terminals necessary for landline service to function during power outages. This essential maintenance work has become sporadic and is now carried out by non-union, contract employees. When customers lose phone service, they contact the Verizon repair line and are told that it could take up to two weeks to "get someone out there" to restore service, but that the customer could switch to FiOS and get the service right away.¹⁵

The purpose of the workshop was to provide Commission staff with the information necessary to develop an RFP as the first step in the process of the Commission engaging an independent expert to assess whether Verizon and AT&T are

¹² TURN/CALTEL Post-Workshop Comments, p. 2.

¹³ *Id.*, p. 2-3.

¹⁴ *Id.*, p. 3.

¹⁵ *Id.*, p. 15.

adequately maintaining their outside plant.¹⁶ Already, before the RFP has even been issued, the Commission has evidence showing that Verizon's outside plant is not being maintained. Now, based on further information provided below in Section V, it is clear that Verizon is taking advantage of its own decision to allow its facilities to deteriorate as a prelude to trying to force customers to abandon their regulated landline telephone service when service quality becomes unacceptable. The Commission cannot allow this situation to continue.

V. NEW EVIDENCE CONFIRMS THAT VERIZON IS ACTIVELY IMPLEMENTING A STRATEGY TO FORGO NECESSARY MAINTENANCE AND, INSTEAD, FORCE CALIFORNIA PHONE SERVICE CUSTOMERS TO MIGRATE TO NON-COPPER SERVICES.

Since late 2011, Verizon has implemented a program both nationally and in California to "migrate" copper-based basic telephone service customers away from services provided on the copper network and over to services provided on the fiber facilities that are used to provide FiOS.¹⁷ Migration is triggered when customers with copper-based telephone service contact a Verizon repair center to report problems and request service repair. Repeat calls to the repair center result in a one-way ticket to FiOS. TURN refers to situations where a customer does not wish to "migrate" and prefers to continue receiving phone service over copper-based landlines as "forced migration" or "involuntary migration." Verizon's migration program has been expanded nationally to involve migration of copper landline phone customers to a fixed wireless service called

¹⁶ R.11-12-001, Administrative Law Judge's Ruling On The January 31, 2013 Workshop, January 18, 2013, p. 1.

¹⁷ R.11-12-001, Reply Declaration of Thomas Maguire for Verizon California, March 12, 2012, at paras. 10, 26 and 19. ("Maguire Declaration").

Voice Link in areas where FiOS has not been deployed.¹⁸

A. Verizon Customer Migration Complaints to the Commission Show the Need for Immediate Action in this Docket to Protect Customers and Prevent Further Degradation of Verizon’s Network.

The fact that Verizon’s customer migration policy with respect to FiOS has been in effect in California since at least 2012 is reflected in complaints to the Commission from Verizon California customers in 2012 and 2013. TURN obtained copies of the complaints on January 29, 2014, stripped of information that would identify complainants, pursuant to a request to the Commission’s Consumer Affairs Branch (CAB). While individual customers are not identified, the complaints mentioned the cities of Long Beach (Case No. 290514, August 2013), Cerritos (Case No. 209246, February 2012) and Torrance (Case No. 296113, October 2013). The complaints obtained by TURN are included as Attachment 1 to this pleading. CAB reported 15 complaints regarding Verizon customer migration in 2012 and 17 complaints in 2013. Evidence of Verizon’s company-wide policies and research on customer complaints being only the “tip of the iceberg” suggest that it is highly likely that many more Verizon customers share the views of the customers who complained to the Commission. Indeed, at least two complaints noted that other people in their neighborhood had experienced the same problems with Verizon’s migration practices.¹⁹

Verizon’s policy is to migrate those customers who are deemed “chronic” customers because they have contacted Verizon’s repair line and required two truck rolls

¹⁸ See, for example, *Communications Daily*, May 13, 2013, p. 10.. It is not yet clear when Verizon will deploy Voice Link – and migrate customers to Voice Link - in California, but CWA District 9, representing Verizon California employees, apparently believes that it will occur here shortly, if it has not already begun. http://district9.cwa-union.org/news/entry/beware_of_verizons_voice_link#.UyJFQ16d7eY

¹⁹ See Case No. 264765, March 2013 and Case No. 274947, May 2013.

during a six-month period.²⁰ This criterion is telling because *it is Verizon's decision to reduce or eliminate necessary maintenance of its copper network that is causing the network to deteriorate and the resulting service quality problems that prompt customers to request repair*. This point was echoed by one complaint which stated “[o]ur concern is that they are deliberately allowing network issues to occur to force customers into buying their services. We are not the first family we know of with a Verizon phone line to experience this issue.”²¹ The information provided by Verizon customers in complaints to the CPUC during 2012 and 2013 underscores the need for immediate Commission action to protect Verizon customers and prevent further unlawful deterioration of Verizon’s copper landline network.

Involuntary or forced migration of customers to FiOS is particularly concerning to TURN because many of these customers are unaware that they are being migrated by Verizon from a regulated telephone service to FiOS, a VoIP telephone service that Verizon will likely claim is now largely unregulated and devoid of key consumer protections pursuant to SB 1161. This concern is reflected in complaints to the Commission stating that the customers do not want to be migrated to FiOS because they do not want to subscribe to an unregulated telephone service.²²

Verizon has represented to the Commission that customers who subscribe to only voice service who are migrated to the fiber platform receive “the same voice service at the

²⁰ Fran Shammo, Verizon Communications Inc. Executive Vice President and Chief Financial Officer, Thompson Reuters StreetEvents, Edited Transcript, VZ – Verizon at Bank of America/Merrill Lynch 2012 Media, Communications and Entertainment conference, September 12, 2012, p. 8 (“Shammo, 12/12/2012.”) http://www.verizon.com/investor/DocServlet?doc=bofa_vz_transcript_091212.pdf

²¹ Case No. 274947, May 2013.

²² See, for example, Case No. 267321 (March 2013); Case No. 269927, April 2013; Case No. 263807, February 2013, the customer “is adamant about keeping his service analog as VoIP is not a regulated service;” and Case No. 290514, August 2013.

exact same monthly price” and “would not be converted to VoIP and thus would be subject to the same regulatory oversight as the customer’s previous copper-based voice service.”²³ Verizon’s representations to the financial community and the experience of customers who have complained to the CPUC tell a different story. For example, Verizon Executive Vice President and Chief Financial Officer Fran Shammo stated:

So if I can take that chronic customer and move them to FiOS, I deplete the amount of operational expense to keep that customer on and now I have moved them over to the FiOS network where they get the benefits of FiOS digital voice [sic], which is clearer.²⁴

Verizon’s web site provides this description of FiOS Digital Voice: FiOS Digital Voice is a specific type of Voice Over Internet Protocol (VoIP).²⁵

Customer complaints demonstrate that Verizon has not permitted all customers who are migrated to retain or return to their existing service. For example, according to two complaints submitted to the Commission's Consumer Affairs Branch (CAB), in 2012 Verizon California executive Margaret Serjak sent a letter to California customers informing them that due to "landline service issues" in their area customers needed to transition to FiOS.²⁶ One of these complainants informed the Commission that the letter said "[t]his transition will be no charge to us and we keep our current service at the same rate by calling their representative."²⁷ But when speaking with a Verizon representative, the complainant was told that "their current service would not be connected to it [the fiber]

²³ Maguire Declaration, para. 8.

²⁴ Shammo, 12/12/2012, p. 8.

²⁵

<http://www.verizon.com/support/residential/phone/homephone/general+support/fios+voice+service/fvs/121150.htm>

²⁶ Case No., 213503, March, 2012 and Case Number 239620, September 2012.

²⁷ Case No. 239620, September, 2012. Other complainants also stated that they were told that if they migrated from the copper network to Verizon’s fiber network they had to subscribe to FiOS. See, for example, Case Nos. 209246 (February 2012) and 214029 (March 2012).

if they elect to keep it." The complainant characterized Verizon's customer migration effort as "a classic bait and switch practice," with the true intent of moving customers to FiOS. Another customer told the CPUC that "Verizon has a rule that if a home has FiOS installed for internet and television it must move the copper wire landline telephone service to FiOS telephone."²⁸

In essence, line-by-line, Verizon is eliminating the regulated basic telephone service which, as a carrier of last resort, a telephone corporation, pursuant to its Certificate of Public Convenience and Necessity (CPCN), it is obligated to provide. Several complainants reported that they were told that once they were migrated to FiOS, their copper facilities would not be reconnected despite the desire of the customers to retain or return to regulated copper-based telephone service.²⁹ For example, one customer told the Commission that,

[a]ll three of the Verizon FiOS techs that have been here have told me that the copper lines can be used but Verizon is trying to remove them to eliminate options/competition by controlling everything through the Fios [sic] network.

Request of CPUC: Help me to get the phone service connected through the original copper lines.³⁰

Another customer was very upset about Verizon removing copper lines.³¹ The customer stated that s/he has had Verizon copper based phone lines and/or DSL services from 2006 to March 2013. On 3/12/13, the customer ordered new services from Verizon and Verizon came out the same day to install the new services. At the time, the customer "did not know that Verizon removed my copper phone lines without my knowledge when

²⁸ Case No. 205545 (January 2012).

²⁹ See for example, Case no 305339 (December 2013), 267321 (March 2013), Case No. 263807, (February 2013); Case No. 269927 (March 2013).

³⁰ Case No. 258489 (January 2013).

³¹ Case No. 267321 (March 2013).

I requested additional services. I was not made aware that they would be doing this and would not have agreed to it.” The customer reported that,

Verizon told me that there was no going back to my old services, that my copper lines were pulled from my house when I added services (I looked outside and my copper lines are still there) [.] Verizon stated that they will not convert customers back once this change was made as they are migrating people and it was too costly for Verizon to put back my previous services.

The customer’s complaint further stated:

Request of CPUC: I never authorized Verizon to REMOVE my copper lines, only to add services. I am unhappy with the new services and want my old services put back. This is not impossible, just “costly” according to Verizon. This is fraud. They advertise that if you are unhappy with the services you can cancel anytime. However, they do not advise you that if you cancel you will not be able to get your old services back, nor will you ever be able to obtain services from anyone else. I WANT MY ORIGINAL COPPER LAND LINE AND DSL REINSTALLED.³²

Another complaint from December 2013 tells the story of a customer who requested to have the fiber service discontinued and to be returned to copper landline service because the fiber service did not work with LifeAlert or the security system during power outages. A work order was submitted to transfer service back to copper, and the customer was assured it would take “from a few minutes to 4 hours” to restore the copper line:

However that was not the case. We were out of phone service for 4 entire days. I contacted Verizon about no phone service. Within minutes the phone service was restored. I asked them if the phone service was going to be the COPPER line. They assured me that it was going to be as we ordered (Copper Line). Since November 22, 2013 I continue to have fiber line. I have called Verizon time after time and now it is unfortunate that they say they cannot restore my line to copper. Verizon has continued to deny my request and take me on a wild goose chase. Request of CPUC: Have Verizon restore my Land Line to Copper.³³

There is evidence from the complaints that senior citizens have been switched to

³² Id. See, also, Case No. 305339 (December 2013) and Case No. 267321 (March 2013).

³³ Case No. 305339 (December 2013).

FiOS without their consent and without fully understanding what had happened. One household thought that Internet and television were being switched to FiOS and that the telephone service would remain on the copper line. The person who assisted the household and filed the complaint stated:

The residents at this address are over 90 years old & need the more reliable service and 911 access. When I called to explain the phone stopped working I call [sic] the copper line repair. The person told me that the phone was now on FiOS and I would be transferred. I asked to speak with a supervisor and was put on hold for 1 hour and 45 minutes before I hung up. Later in the day the phone started to work.

....
Request of CPUC: 1. Verify that 310-375-xxxx is a copper line
2. If the line is FiOS have verizon change it to copper which was our original agreement.
3. I lost 2 billable hour [sic], please have Verizon compensate me for my lost income.³⁴

Another complaint, filed by the Verizon customer's grandchild, states that Verizon suspended the grandmother's telephone service "due to the fact that she has not upgraded to their FiOS service. She is an elderly woman and does not wish to be forced into having something that is one, falsely represented and two, something she does not require." The complainant states that Verizon has informed them that the woman will be without service unless the customer converts to FiOS.³⁵

At least one Lifeline customer has submitted complaints about Verizon's forced migration practices. The customer called Verizon to transfer landline telephone service to a new address:

³⁴ Case No. 296113, (October 2013).

³⁵ Case No. 214029 (March 2012). See also Case No. 284424 (July 2013). Verizon migrated a 96 year old woman to FiOS. On July 25, 2013, Verizon technicians disconnected the copper line, but did not finish the FiOS installation, left the site and left the woman with no telephone service. The woman's daughter worked frantically to have Verizon restore service, spending over three hours on the phone with Verizon, had a repair scheduled and then cancelled and was told that the phone could not be repaired until August 1. Verizon provided the elderly woman with a cell phone which she cannot use because she is hard of hearing.

I was then informed that Verizon starting this month will no longer provide just landline service and you also need to purchase Fios [sic] internet also. I have been on the Lifeline program for over 7 years and now they are forcing me to get their internet as well. I can not afford Fios [sic]. This is wrong and they need to stop this as the apartment we are moving to only has Verizon as a carrier.³⁶

The experience of customers that have filed complaints with the Commission provides further support for the evidence presented in comments and at the January 2012 workshop that Verizon applies a double standard to repairing the copper-based phone service versus FiOS installation. Verizon is quick to offer FiOS installation, but the requested repair of copper-based phone service is subject to long delays. For example, one complaint stated,

A person named xxxxx from Verizon is threatening that if we don't switch over to digital and get rid of copper that their response time for fixing any phone problems will go from 1 to two days too [sic] two weeks. I assume they must be doing this with all businesses. I thought the Public Utility Commission should know that Verizon is trying to pressure their customers into making a change based on withholding repair services for two weeks. Since they have a monopoly on local phone service this seems to be against public policy and not in the best interest for consumer protection.³⁷

Yet another complaint states:

Consumer states that it took almost 12 days for a technician to repair the service. She states that the reason for the delay is to try and get her to upgrade to FIOS [sic], which she wishes not to have.³⁸

Another concern raised in the customer complaints (and shared by TURN) is that copper-based phone service is more reliable than FiOS during prolonged power outages. During a power outage, FiOS requires back-up power at the customer premises to function. For example, one customer stated that s/he wanted to maintain a landline

³⁶ Case No. 218704 (March 2012).

³⁷ Case No. 228780 (May 2012).

³⁸ Case No. 256604 (January 2013).

copper telephone service and have FiOS installed for Internet and television, but that “Verizon has a rule that if a home has FIOS installed for internet and television it must move the copper wire landline telephone service to FiOS telephone.” The customer’s request to the CPUC: “Copper wire landline telephone service works even during an electric power outage while FIOS service fails during an electric power outage.”³⁹ As discussed above, another complaint from December 2013 notes that the customer desired to be returned to copper landline phone service because the fiber service did not work with LifeAlert or a security system during power outages.⁴⁰

The complaints show that it is unclear whether or not the requests to Verizon for repair of copper-based phone service that trigger customer migration are recorded as trouble tickets, and thus reflected in the data Verizon provides to the CPUC. For instance, one complaint describes a process of requesting repair, Verizon insisting on installing a FiOS package the customer didn’t want, the customer receiving an unannounced visit from a Verizon sub-contractor and then being told that the repair was cancelled.⁴¹ Another customer called Verizon to report “terrible static” on their phone line. S/he received an e-mail and text stating Verizon would be at the home to fix the problem between 8 a.m. and noon, but Verizon did not show up as promised. At 3:20 p.m., the customer contacted Verizon and was told, “...the ticket was on hold to install Fios! I never requested or was told about fios [sic].” Another Verizon employee repaired the copper line, but told the customer that they had to get Verizon to cancel the FiOS order or they “would lose everything he did.” That is exactly what happened. The customer and her husband contacted Verizon, were on hold for three hours, the problem was not fixed and

³⁹ Case No. 205545 (January 2012).

⁴⁰ Case No. 305339 (December 2013).

⁴¹ Case No. 209246 (February 2012)

they had no phone service. This was a dire situation given that the customer's husband "...had major open heart surgery a few months ago. this [sic] is the only line our drs [sic] have to contact him and verify appointments. Verizon is aware of this but obviously doesn't care."⁴²

It is clear that customers often do not fully understand that they are being migrated to FiOS. Many of the complaints state the view that Verizon is using deceptive or coercive practices to convince customers to migrate to FiOS.⁴³ It is also unclear whether most customers are aware of the implications of being transferred to a service that is possibly unregulated and is reliant upon backup power that may run out during prolonged power outages. TURN is concerned that customer confusion over Verizon's customer migration practices is even more acute for customers who are not fluent in English.

B. Migration to Voice Link Will Raise Similar Concerns for Customers.

As discussed earlier, Verizon's migration program has been expanded nationally to involve migration of copper landline phone customers to a fixed wireless service called Voice Link in areas where FiOS has not been deployed. It is not clear when Voice Link will be offered in California. But the CPUC must be vigilant and ensure that the problems identified in customer complaints about Verizon's forced migration practices do not make a repeat appearance when Voice Link arrives. In an interview with *Communications Daily*, Verizon Senior Vice President for National Operations Support Thomas Maguire

⁴² Case No. 225475 (May 2012).

⁴³ See Case No. 203887 (January, 2012), Case No. 209246 (February 2012), Case No. 213503 (March 2012), Case Nos. 2262941 and 228780 (May 2012), Case No. 239620 (September 2012), 260172 (January 2013), 267321 (March 2013) and 271319 (April 2013).

stated that Voice Link is aimed at migrating customers away from copper networks in areas where it does not install FiOS.

The Migration was ‘humming along’ but Verizon knew it didn’t have fiber everywhere, which led Maguire to examine alternatives for those copper customers encountering problems. ‘It dawned on me that our wireless’ networks are ‘everywhere,’ he said. ‘I started looking at ways we could then use the wireless technology.’ Voice Link was then born. Then Sandy hit, he said, accelerating the process in New York.⁴⁴

Verizon has stopped deploying FiOS in new areas.⁴⁵ Thus, Voice Link will be targeted to areas of Verizon’s territory where FiOS was not deployed, including rural areas where a properly maintained copper telephone network is the most reliable communication option for customers, particularly during power outages. There is substantial evidence, from customer complaints, comments and information presented at the January 2012 Workshop that Verizon is not adequately maintaining its copper network, and telling customers that migration to FiOS is *fait accompli*. The message customers have heard from Verizon is, we have no intention of repairing or maintaining your copper-based phone service and you have no choice but to move to FiOS. For Verizon customers in rural areas, there is no fiber from Verizon and there never will be fiber from Verizon. In addition, wireless service – including fixed wireless riding on Verizon’s LTE network (i.e., Voice Link) – is not a ubiquitous option and provides inferior E911 access and reduced functionality (discussed further in Section VI). Importantly, like FiOS, during prolonged power outages Voice Link service will cease to function since most back-up batteries currently provide power for only four hours.

⁴⁴ *Communications Daily*, May 13, 2013, p. 10, op. cit.

⁴⁵ See, for example, “First Phase Of Verizon FiOS Build Coming To An End, Company will now focus on improving uptake in existing markets,” DSL Reports.com, January 2, 2010 <http://www.dslreports.com/shownews/106349>

With respect to customer migration to both FiOS and Voice Link, it cannot be emphasized enough that it is Verizon's purposeful failure to adequately maintain its network and perform necessary repairs that drives Verizon's customer migration policy and unethical business practices. These actions violate Verizon's obligations under the PU Code, the Commission's rules and the requirements of Verizon's CPCN.

VI. VERIZON CUSTOMERS ARE HARMED BY FORCED MIGRATION TO FIOS OR VOICE LINK.

Verizon's practice of allowing its copper network to deteriorate and then attempting to migrate basic telephone service customers to either FiOS or Voice Link without notice, explanation or choice is harmful to the public.

FiOS is a VoIP service under PU Code § 710. Therefore, it is likely that Verizon will argue that customers who are migrated from copper-based landline service to FiOS lose many of the regulatory and universal service protections they receive as non-VoIP landline telephone service customers. The only remaining regulatory protections for FiOS phone service customers are contained in a small list of narrow exceptions, with deregulation being the rule. For example, the Commission can only respond *informally* to customer complaints regarding FiOS (PU Code Sec. 710.(f)); the Commission likely has limited/no authority to require Verizon to provide FiOS service at just and reasonable prices (PU Code Sec. 710 (b)) It is unclear whether customers migrated to FiOS phone service would receive the regulatory protections applied to copper-based basic phone service, and as discussed below, the Commission does not currently have the authority to require Verizon to provide more robust battery back-up power to ensure that phone and data services continue to work during lengthy power outages, courtesy of SB 1161 (PU

Code Sec. 710 (c)(6)).

Voice Link is a new type of fixed wireless service that is inferior to non-VoIP landline service in a number of key respects. As discussed in more detail below, the deficiencies of Voice Link compared to copper-based landline phone service are numerous. In the aftermath of Hurricane Sandy, a storm that heavily damaged communities in Verizon's service territory in New Jersey Barrier Islands and parts of Fire Island in New York, Verizon attempted to replace its landline, copper-based phone service with Voice Link. Verizon subsequently filed applications with the FCC, proposing to discontinue providing domestic telecommunications service in these locations, and substitute Voice Link in its stead.⁴⁶ In response to political pressure stemming from immense public dissatisfaction with Voice Link, Verizon has since indicated that it will deploy FiOS in addition to Voice Link in some parts of Fire Island.⁴⁷

TURN has reviewed Verizon's proposed tariff filings, and the pleadings and public comments filed in a proceeding before the New York Public Service Commission,⁴⁸ Verizon's FCC applications and the comments and ex partes filed in response, and AARP's request for an investigation in New Jersey. In reviewing Verizon's tariff filings in New York, the New York Public Service Commission stated that Voice Link service is "materially different" from copper-based landline service, noting that Voice Link is incompatible with fax machines, medical alert and home security monitoring systems and

⁴⁶ Before the Federal Communications Commission, WC Docket No. 13-149, Comp. Pol File No. 112, WC Docket No. 13-150, Comp. Pol File No. 1115, 214 Applications of Verizon New Jersey Inc. and Verizon New York Inc. to Discontinue Domestic Telecommunications Services.

⁴⁷ See, for example, "Verizon Reverses Fire Island Stance, Offers Fiber Service," *Bloomberg*, September 10, 2013, [Verizon Reverses Fire Island Stance, Offers Fiber Service](#)

⁴⁸ State of New York Public Service Commission, Case-13-C-1097 – "Tariff filing by Verizon New York to Introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer a wireless service as its sole offering in the area."

credit card machines. Digital Subscriber Line service (“DSL”), is not available with Voice Link. Unlike Verizon’s landline services, Voice Link service requires the use of mandatory 10 digit dialing within an area code. Voice Link does not allow customers to make calls to “certain specialized area codes, such as 900 or central office codes, such as 976 or 950.” Voice Link will not allow customers to accept collect calls and calls cannot be made to the operator by dialing “0.”⁴⁹ Verizon’s Voice Link Terms of Service for New York state that the service “is not compatible with fax machines, DVR services, credit card machines, medical alert or other monitoring services or High Speed or DSL Internet services.”⁵⁰

In public comments to the NYPSC, Suffolk County First Responders and the Elected Officials in 68 Municipalities raise significant concerns about the provision of 9-1-1 service over Voice Link. They note that customer location information programmed into a Voice Link unit becomes unreliable if the customer moves and takes the Voice Link unit with them because there is no automatic updating of location information when a Voice Link unit is moved. The First Responders state:

Verizon’s most recent “Revised Terms of Service” (filed June 12, 2013) has an entire section - containing five distinct disclaimers – regarding “Limitations on 911 Emergency Services.” In addition to the limitations discussed above, the Terms of Service warn the customer that “using the Service may be subject to network congestion and/or reduced routing or processing speed.”⁵¹

The Elected Officials state:

Information about a customer’s location is not updated when a customer moves

⁴⁹ NYPSC Case-13-C-1097, Notice Inviting Comments, (Issued May 21, 2013), p. 2.

⁵⁰ Verizon Voice Link Terms of Service, 1.b. Attached to a June 10, 2013 letter from Verizon Deputy General Counsel – New York, Joseph A. Post to Jeffrey C. Cohen, Acting Secretary, New York State Public Service Commission.

⁵¹ See NYPSC Case 13-C-0197, July 2, 2013 Comments filed by Suffolk County First Responders, p. 1-2.

<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterSeq=42688#>

and brings the Voice Link equipment along. Although the Commission described Voice Link as remaining “stationary at one location in the customer’s premises,” it is Municipalities’ understanding that there is no obstacle to consumers taking their Voice Link equipment to new residences if they choose to do so. A consumer who relocates and who brings the Voice Link equipment will be “bringing” the geographic location of the original Voice Link location erroneously to the new location. If the customer then calls E-9-1-1 from her new home, the 9-1-1 agency will see the prior customer’s location. Further exacerbating this threat to public safety is the fact that many consumers receive paperless billing, meaning that Verizon may not be aware that its consumer has re-located.

In sharp contrast with the limited capabilities of Voice Link, with wireline service, a customer’s 9-1-1 location is permanently and inalterably linked to the location to which the service is provided. Furthermore, with “conventional” mobile wireless service, a consumer’s wireless phone is programmed to transmit the user’s location of the nearest cell tower. With the more limited wireless capability of Voice Link, such information will not be communicated.⁵²

Further, as the New Jersey Division of Rate Counsel, the National Association of State Utility Consumer Advocates and TURN (“New Jersey DRC et. al.”) pointed out to the FCC, because the Voice Link service does not provide a broadband connection, it also is not compatible with Video Relay services.⁵³ Video Relay service is extremely important for members of the deaf and disabled community because it allows customers with learning disabilities to communicate using American Sign Language instead of texting.⁵⁴

Allowing Verizon to forcibly migrate copper landline basic telephone service customers to Voice Link would be detrimental to public safety and therefore contrary to the Commission’s obligation to ensure that services are provided in a manner consistent

⁵² See NYPSC Case 13-C-0197, July 9, 2013 Corrected Comments From Elected Officials in 68 Municipalities, p. 4, *emphasis* in the original, footnotes omitted.

⁵³ Before the Federal Communications Commission, WC Docket No. 13-149, Comp. Pol File No. 112, WC Docket No. 13-150, Comp. Pol File No. 1115, 214 Applications of Verizon New Jersey Inc. and Verizon New York Inc. to Discontinue Domestic Telecommunications Services, Initial Comments of The New Jersey Division of Rate Counsel, National Association of State Utility Consumer Advocates, and The Utility Reform Network, p. 11. For a description of how video relay service functions and its reliance on broadband, see <http://www.fcc.gov/guides/video-relay-services>

⁵⁴ For the FCC’s description of the importance of Video Relay Service see <http://www.fcc.gov/guides/video-relay-services>

with public safety as described in the Scoping Memo and OIR.

In addition, and very importantly, both Voice Link and FiOS rely on power supplied by the electric power grid. During a power outage both services rely on batteries at the customer premises, making both services less reliable than copper-based, non-VoIP landline service during lengthy power outages. This point was emphasized by the Suffolk County first responders and in the comments submitted to the NYPSC by Elected Officials in 68 Municipalities. The Elected Officials stated:

Voice Link is not as reliable as is Verizon's conventional copper-based telephone service. Except in rare instances, Verizon's copper-based service continues to operate during power outages. Consumers' ability to reach public safety is always essential and, during black-outs and other extreme weather conditions, arguably even more so.⁵⁵

As noted above, Verizon will likely claim that pursuant to PU Code Section 710(c)(6) the Commission currently does not have the authority to require Verizon to upgrade its battery back-up either at the customer premises or network power back-up for FiOS. Thus, when Verizon deliberately allows its copper network to deteriorate, it leaves customers little choice and customers who desire the robust level of reliability afforded by copper-based basic telephone service will lose the right to choose the service, that when properly maintained, is most likely to continually function during prolonged power outages.

As discussed below, customers in the areas of New York and New Jersey, where Verizon is attempting to discontinue providing copper-based landline phone service and force customers to move to Voice Link, are vehemently opposed to Verizon's proposal.

⁵⁵ See NYPSC Case 13-C-0197, July 11, 2013 Corrected Comments from Elected Officials in 68 Municipalities, p. 3.
<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterSeq=42688#>

The NYPSC web site pages dedicated to Verizon's Voice Link proposal lists over 1,700 public comments. In poring over these pages, one is hard pressed to find a single commenter who supported Verizon's plan. The practice of deliberately allowing the regulated network to fall into disrepair and then using that as an excuse to move customers to Voice Link eliminates a competitive choice that customers value highly.

Verizon's objective is to let its regulated copper network deteriorate to a level that is beyond repair. As the network deteriorates and customers experience problems, Verizon will try hard to push customers off of its regulated landline phone service and over to either unregulated FiOS or Voice Link, a service that is clearly inferior to copper-based landline phone service. The upshot is that customers who would rather continue to receive regulated, copper-based landline service lose that option.

VII. VERIZON'S PRACTICES IN CALIFORNIA ARE PART OF A NATIONAL STRATEGY, AS EVIDENCE BY ITS ACTIONS IN NEW YORK, NEW JERSEY AND THE DISTRICT OF COLUMBIA

Verizon's actions in California are part of a national corporate pattern of failing to maintain and repair its copper network. This pattern became abundantly clear with Verizon's refusal to repair copper-based service in the District of Columbia (D.C.) and Verizon's attempts to forcibly migrate customers to Voice Link following Hurricane Sandy.

A. Verizon Forced Migration to FiOS

A recent order issued by the Public Service Commission of the District of Columbia (PSCDC) affirms that Verizon's practice in California of refusing to repair copper-based service and using calls to repair centers as a means of migrating customers to fiber services was also implemented in D.C. Order No. 17313 was issued December 9,

2013, following an investigation into the reliability of Verizon's Washington, D.C. telecommunications infrastructure, initiated pursuant to a petition by the Office of People's Counsel (OPC).⁵⁶ The investigation examined key service quality issues, including whether a service degradation problem exists, whether Verizon adequately maintains the copper infrastructure in place and serving customers and the customer service training implemented for customer service representatives by Verizon D.C.⁵⁷ Key allegations raised by OPC in its petition and by members of the community in comments and statements to the PSCDC were virtually identical to the issues raised by TURN in this motion - namely, Verizon deliberately let its D.C. network deteriorate and when customers requested repair, Verizon moved them over to fiber instead of repairing their copper-based phone service.⁵⁸

In Order No. 17313, the PSCDC determined that there were deficiencies in Verizon DC's maintenance, repair times, repeat trouble rate, training of technicians and customer service. The PSCDC found that Verizon DC did not fully comply with the terms of its 2008 price cap settlement agreement which requires Verizon DC to "maintain the copper infrastructure in use and serving customers."⁵⁹ With respect to customer service the Order No. 1713 directed Verizon DC:

[t]o review its training materials to ensure that its customer service representatives are not making it unnecessarily difficult for copper service customers to obtain the repairs they are requesting and to make adjustments to its training, where necessary, to ensure that all customers are receiving quality service over copper

⁵⁶ Public Service Commission of the District of Columbia ("PSCDC"), *Formal Case No. 1090, In the Matter of the Investigation into the Reliability of Verizon Washington, DC's Telecommunications Infrastructure*, Order No. 17313, Rel. December 9, 2013.

⁵⁷ PSCDC, *Formal Case No. 1090, Order No. 17389*, February 24, 2013, para. 2.

⁵⁸ See, for example, Response of the Office of People's Counsel in Opposition to the Application of Verizon, DC Inc.'s Application for Reconsideration of Order No. 17313 (PUBLIC), January 15, 2014, p. 10-13.

⁵⁹ PSCDC, Order No. 17313, paras. 270, 348.

facilities without undue marketing pressure to change to fiber facilities or FiOS service.⁶⁰

Verizon was also directed to submit a remedial plan to address service quality issues.

Verizon appealed the order. In rejecting Verizon's contention that the commission erred, the PSCDC stated, "there is substantial evidence in the record to support the Commission's finding that Verizon DC is not maintaining the copper network."⁶¹ Furthermore, the PSCDC rejected Verizon's contention that the requirement to review and potentially adjust training scripts was unsupported by record evidence.⁶² The PSCDC forcefully rejected that contention:

However, the Commission's directives to Verizon DC regarding its customer service representative training materials address issues that are related to the maintenance of the copper infrastructure for those customers who are still receiving services over copper facilities. Through these directives, the Commission seeks to ensure that customers who have copper service that needs to be repaired are not directed to other services in lieu of having their copper service repaired.⁶³

B. Forced Migration to Voice Link

Documents filed at the New York Public Service Commission ("NYPS"), the New Jersey Board of Public Utilities ("New Jersey BPU") and the Federal Communications Commission demonstrate that Verizon is using Sandy as an opportunity to implement its corporate strategy of allowing the copper to deteriorate, refusing to repair its infrastructure, and attempting to force customers to migrate to Voice Link.

⁶⁰ PSCDC, Formal Case No. 1090, Order No. 17389, op. cit., paras. 41, 42.

⁶¹ PSCDC, Order No.17389, op. cit. para. 32.

⁶² Id., para 35.

⁶³ Id., para. 42.

In the aftermath of Sandy, Verizon failed to repair its facilities for several months, and then approached the NYPSC proposing to replace its damaged copper facilities with Voice Link wireless service, and requesting expedited approval and a waiver of newspaper publication so that it could restore telephone service on Fire Island “as rapidly as possible.”⁶⁴ And as noted above, Verizon has filed an application at the Federal Communications Commission seeking authority to discontinue traditional landline service in these areas, rather than rebuild the infrastructure.⁶⁵ However, the New York Attorney General’s office (“NY AG”) and CWA District 1 have provided evidence that Verizon is violating the terms of a New York Public Service Commission (“NYPSC”) Order granting limited authority for Verizon to offer Voice Link *only in areas where landlines were lost due to Sandy*. The NY AG and CWA District 1 have shown that Verizon is telling customers in other rural areas of New York State *not impacted by Sandy* that Verizon will not repair landline facilities and, instead, customers will be migrated to Voice Link.⁶⁶ The NY AG has argued that the circumstances cited by Verizon as a reason to replace copper facilities with Voice Link is a situation of Verizon’s own making:

It is clear that Verizon is leveraging the storm damage from Sandy as part of its long-term strategy to abandon its copper networks by substituting Voice Link for POTS service on western Fire Island and forcing customers to accept wireless Voice Link wherever it does not build FiOS. Verizon’s failure to make prompt repairs to its Fire Island facilities during the seven months following Sandy left the

⁶⁴ May 3, 2013 Verizon tariff filing, cover letter to Jeffrey Cohen, Acting Secretary, NYPSC, from Keefe B. Clemons, Verizon General Counsel - Northeast Region.

⁶⁵ Before the Federal Communications Commission, In the Matter of Section 63.71 Application of Verizon New York Inc. and Verizon New Jersey Inc. For Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended To Discontinue Provision of Service, Section 63.71, Application of Verizon New York Inc. and Verizon New Jersey Inc., WC Docket No. 13-149 Comp.-Pol File No. 1112 and WC Docket No. 13-150 Comp. Pol File No. 1115, Filed/Accepted June 7, 2013.

⁶⁶ See, State of New York, Office of the Attorney General, *Emergency Petition of New York Attorney General Eric T. Schneiderman for an Order Preventing Verizon From Illegally Installing Voice Link Service in Violation of Its Tariff and the Commission’s May 16, 2013 Order.*

Commission little choice but to provide temporary approval of Voice Link so that customers would have some form of telephone service during the 2013 summer beach season. However, this “temporary approval” should not be expanded to allow Verizon to avoid its ILEC obligations permanently, on Fire Island or anywhere else in New York.⁶⁷

Similarly, with respect to the New Jersey barrier islands, as New Jersey DRC et. al. documented in comments to the FCC, other utilities serving the area – including cable companies - suffered extensive damage to infrastructure during Hurricane Sandy. Yet they repaired their networks and restored service. And, “[o]nly Verizon, without evidentiary support, is seeking to jettison its obligations to provide safe, proper and adequate service to the public.”⁶⁸ Moreover, XO Communications has submitted evidence to the FCC demonstrating that Verizon misrepresented the facts regarding the extent to which copper plant in significant buildings located in Manhattan was damaged beyond repair by the hurricane. In fact, according to XO, much of the plant was still functional and certainly capable of being repaired, and Verizon has attempted to use Sandy as a pretext to eliminate its provision of copper-based services essential for competitors (and their customers) and replace the plant with fiber that is not subject to competitive requirements that apply to copper facilities.⁶⁹ All of these pieces put together point to one thing: Verizon is trying to use the damage inflicted by Hurricane Sandy as a means of

⁶⁷ NYPSC CASE 13-C-0197, Comments of Eric T. Schneiderman, Attorney General of the State of New York, July 2, 2013, p. 10-11.

⁶⁸ Initial Comments of New Jersey DRC et. al. to the FCC, p. 21 and Attachment A.

⁶⁹ Before the Federal Communications Commission, In the Matter of: Petition of BellSouth Corporation for Special Temporary Authority and Waiver To Support Disaster Planning and Response, Petition of Verizon for Special Temporary Authority and Waiver To Support Disaster Planning and Response, Petition of Qwest Communications International Inc. for Special Temporary Authority and Waiver To Support Disaster Planning and Response (WC Docket No. 06-63), and Petitions for Rulemaking and Clarification Regarding the Commission’s Rules Applicable to Retirement of Copper Loops and Copper Subloops (RM-11358), XO Communications Services, LLC’s Objection to Verizon’s Invocation of the Limited Waiver and Special Temporary Authority Granted in the Order Issued *In the Matter of Petition of BellSouth Corporation for Special Temporary Authority and Waiver To Support Disaster Planning and Response* and Request for a Cease and Desist Order, July 1, 2013.

furthering its ambition to “kill the copper” and avoid its legal obligation to properly maintain and repair its network.

The behavior of Verizon in D.C., New York and New Jersey is directly related to the situation in California because Verizon is employing similar practices here, as explained in Section IV and V. In California, D.C. and in the areas damaged by Sandy, it is clear that Verizon is implementing its national corporate objective of deliberately allowing its regulated copper network to deteriorate and using the resulting service problems to force customers to migrate to other services that are either not regulated or are less functional than copper-based voice phone service. The Commission must take immediate action to protect the interests of Verizon’s California customers and prevent further degradation of Verizon’s copper-based landline network.

VIII. THE COMMISSION SHOULD IMMEDIATELY TAKE THE FOLLOWING ACTIONS TO PROTECT THE INTERESTS OF VERIZON’S CUSTOMERS AND PREVENT FURTHER DETERIORATION OF VERIZON’S NETWORK.

Verizon’s failure to properly maintain its network and repair service as requested by its customers is deeply harmful to the public interest. TURN urges the Commission to take immediate steps to prevent further deterioration of Verizon’s network and to protect the interests of Verizon customers.

TURN requests that the Commission take the following actions.

- The Commission should issue an order requiring Verizon to: 1) repair the service of copper-based landline telephone service customers who contact the repair center; 2) restore copper-based service to customers who wished to retain it but were migrated to FiOS or Voice Link; and 3) cease the deceptive and misleading marketing practices reported by

Verizon customers in their complaints to the Commission. (See Attachment 1 and Section V of this motion.)

- The Commission should investigate whether, and to what extent, Verizon’s customer migration practices and failure to maintain the copper network in certain communities take unfair advantage of senior citizens, customers on low incomes and limited English speaking populations.
- The Commission should require Verizon to provide data, by location, on the number of customers who have been migrated and where the data indicates even minor concentrations of customer migrations, those areas should be included in the examination into the adequacy of Verizon’s network maintenance and investment described in the September 24, 2012 Scoping Memo.
- The Commission should determine whether a customer call to Verizon's repair line results in Verizon generating a trouble ticket when the customer is voluntarily or involuntarily migrated. There are indications in the customer complaints that trouble tickets may not be generated in all instances. If this is the case, the data reported by Verizon pursuant to Commission service quality reporting requirements may be misleading and may understate Verizon service quality problems.
- The Commission should require Verizon to provide proof that customers who have been migrated to FiOS “receive the same voice service at the exact same monthly price” and continue to be “subject to the same regulatory oversight as the customer’s previous copper-based service” as previously represented to the Commission by Verizon.⁷⁰
- Once the Commission issues the order for Verizon to cease and desist its misleading marketing practices, Verizon should be required to submit to the Commission all information provided to customers pertaining to customer migration and all training material, customer representative scripts, technician scripts and other directions to Verizon employees regarding its copper repair and customer migration practices.
- The Commission should verify whether Verizon has complied with the requirements of D.10-01-026 and provided customers migrated to FiOS or Voice Link with mandated information on back-up power requirements for these services to function during power outages.

⁷⁰ R.11-12-001, Reply Declaration of Thomas Maguire for Verizon California, March 12, 2012, para. 8. (“Maguire Declaration”).

•The Commission should move promptly to prevent further unlawful deterioration of Verizon’s network. In accordance with the Scoping Memo in this docket, the Commission should move as quickly as possible to fully investigate whether Verizon (and AT&T) is adequately maintaining it’s copper network. This requires issuance of the RFP as described in the September 24, 2012 Assigned Commissioner’s Ruling and Scoping Memo. In preparing the RFP, the Commission should ensure that the scope of the investigation encompasses the issues raised in this motion.

•As part of the Commission’s investigation, Verizon should be required to provide the CPUC with data regarding the number of employees transferred to Voice Link and hired to provide Voice Link. Verizon should be required to provide CPUC with data regarding the expenditures for customer migration and investment in Voice Link so that the Commission can compare the resources Verizon has devoted to migrating customers with the resources Verizon has devoted to maintaining its copper-based basic telephone service.

IX. CONCLUSION

The Commission has an obligation to ensure that carriers such as Verizon maintain adequate facilities and provide reliable service. It is clear that Verizon is failing to adequately maintain its network and using deceptive practices in the course of migrating customers away from their preferred basic telephone service. The Commission should immediately take the actions recommended by TURN to prevent further degradation of Verizon’s network and protect the interests of Verizon’s customers

Dated: March 17, 2014

Respectfully submitted,

/S/ Regina Costa

Regina Costa
Telecommunications Research Director

Attachment 1

Complaints Provided to TURN by the Commission's Consumer Affairs
Branch, January 29, 2014

YEAR 2012

Month	Case Number	Comment
January	205545	<p>Complaint / Concern: I wish to maintain my landline copper wire telephone service and get FIOS installed in my home for internet and television. I have 3 telephone lines at the residence, (805) xxx-xxxx, (805) xxx-xxxx and (805) xxx-xxxx</p> <p>Utility Comment: Verizon has a rule that if a home has FIOS installed for internet and television it must move the copper wire landline telephone service to FIOS</p> <p>Request of CPUC: Copper wire landline telephone service works even during an electric power outage while FIOS service fails during an electric power outage.</p> <p>FIOS is an ip-based phone service that will fail if the internet fails. One of my telephones is rotary dial (pulse). FIOS telephone service does not support rotary (pulse) dialing. Landline allows seven digit dialing for local calls while FIOS</p> <p>Utility Name: Verizon</p>
	203887	<p>Complaint / Concern: our condo complex changed to fios for cable only it is a bulk acc. i had an existing land line phone and internet serv thru verizon on the copper side. they told me i had to convert to fios for these services as they would no longer be maintaining the copper lines. i was only paying 45 monthly to verizon prior, fios quoted me 89.99 for same serice. i was told their is no reason why i couldnt keep my copper line services i had before with verizon other then they have just decided in my complex to not allow it . Im not sure what verizon is doing in my community is even legal. thanks for your attention</p> <p>Utility Comment: verizon would only say that in my community they would no longer be maintaining the copper lines, they tried to tell me that my hoa had signed up to convert all cable, phone and internet services to be fios. which the board denies, they only signed up to convert the cable to fios, everything else was an individual choice as to what services are offered in our area. also when i told verizon that i wouldnt switch to fiosthey didnt inform me iwould loose my ability to have the same phone # that i have had for 9 years , i was told that i have a legal right to maintain my same phone # when i change phone company</p> <p>Request of CPUC: look into what is going on with the fios service practices in my community, our board is having daily complaints from shareholders who feel they are being railroaded into switching everything to fios at a big increase in</p> <p>Utility Comment: My wife called for me and was put on hold, transferred multiple times and spent a total of over an hour and a half and no one helped her. Miraculously somehow the modem turned back on and have been able to use today. We honestly think Verizon is flipping switches or something and feel they need to be investigated. The internet is only on intermitently. They have also been hounding us weekly to switch to FIOS. Apparently we have no choice as what we currently have does not work, nor does the company want to resolve their issues. That is why we are filing a formal complaint.</p>
	205553	<p>Request of CPUC: We would like for the CPUC to review the Verizon territory (open it up so it is not territorial) and allow customers who are VERY dissatisfied with their service to be able to choose another service other than the cable company in our area. This has been ongoing for years and sooooo tired of it. Am actually contemplating seeking legal service counsel on t</p>

Complaint / Concern: Our home phone goes out every time it rains. In the 7 1/2 years weve lived in this house, weve complained about this about 10 times and had at least 4 service calls. The last Verizon tech explained that the equipment or lines in our neighborhood are old and that the only way to fix the problem permanently is to upgrade to Fios. Each time the phone is out for about a week. I have great trouble even reporting the problem (long hold times on the phone, Verizon troubleshooting website wont even recognize the phone # as a Verizon phone #, live chat person says he cant help with service issues, etc etc etc.) The last live chat person suggested I go next door to a neighbors house to call Verizon to report the problem. Pretty funny. I attached a Word doc with screen shots of the transcript of the last live chat. (Where Verizon web site said I could

Utility Comment: They have no explanation.

Request of CPUC: I would like Verizon to fix to lines or equipment that provides our phone service so that we wont be without a home phone for long stretches throughout the winter.

January = 4

February 209246 Complaint / Concern: Verizon refuses to repair copper line telephone
Utility Comment: They insist to change over to FIOS package with 444 long distance service.

Request of CPUC: Remind them that customers need not be bullied around and that they are thus are performing unethical practices subject to fines.

Utility Name: Verizon

Complaint / Concern: Bad telephone connection reported to Verizon at 1-888-558-1565 on February 2, 2012. In spite of repeated complaints, promised repair cancelations and reneged repair schedules by Verizon, I am still having

Utility Comment: They insist on installing a 444 long distance FIOS package that I dont need which will ultimately be more expensive than the simple installation of a watertight seal at the present Copper wire connection which will solve the present condition as explained to me by their Fiber Network Field Tech. I placed numerous calls with Verizon including calls into a Missouri Office but either got disconnected, transferred to different departments or plainly ignored. I have had an unannounced visit from their subcontractor E-Link. They wanted to dig and trench from the side walk next to a LIVE gas line without city permit. I contacted Cerritos City Hall and their engineer Fred was very concerned about that and advised me not to allow them to proceed. The crew left and Verizon

Request of CPUC: Fine Verizon for coercion, strong arm and unethical practices and force them to serve their customers appropriately, deliver reliable service without hassling the customer and adjust their bill to compensate for non provided daily service. I should not do their scheduling and planning nor should I provide them with quality assurance and city or other code and regulatory requirements. I have not been contacted by any Verizon representative to explain the scope of the work involved and who is responsible for the different construction phases. I have therefore canceled all services with Verizon and

208333 Complaint / Concern: On April 12 2012 I called Verizon customer service in order to transfer my landline service as we are moving across town at the end of this month. I was then informed that Verizon starting this month will no longer provide just landline service and you also need to purchase their Fios internet also. I have been on the Lifeline program for over 7 years and now they are forcing me to get their internet as well. I can not afford Fios. This is wrong and they need to stop this as the apartment we are moving to only has Verizon as a Utility Comment: They said there is nothing they can do.
Request of CPUC: To inform/regulate Verizon that low income families need Lifeline so in case of emergencies we have a way to call for help. I would think this practice goes against with what Verizon signed in order to be able to have Lifeline. Once again another corporation trying to make money from the poor.

February = 2

March 213503 Complaint / Concern: I received a letter that said that "There have been landline service issues in your area recently and we want to apologize if you have been inconvenienced. Network reliability and your experience as a Verizon customer are important, and thats why Verizon needs to transition your service to the most advanced technology available--fiber optics." When I called to schedule an appointment, as the letter said, I find that they basically have lied on the letter and just was to put fiber optics in, even though I do not want to get Fios. I dont have to subscribe to it but then again, why would I want to have it installed if I Utility Comment: Just that I didnt have to get Fios, they just wanted to install the equipment so that it was there should I change my mind in the future.
Request of CPUC: Have them cease and desist from sending misleading letters that look like they want to upgrade my existing service to serve me better

214029 Complaint / Concern: Verizon has suspended my grandmothers telephone service due to the fact that she has not upgraded to their FiOs service. She pays her bills on time and just does not wish to have this service. She is an elderly woman and does not wish to be forced into having something that is one, falsely represented and two, something she does not require.
Utility Comment: It is not a true FiOs system and it is what is called fiber to the source. This is not a true fiber optics system. It is being falsely advertised as such. Unless they rewire her entire home, it is not what they are claiming. They said unfortunately she will be without service unless she converts.
Request of CPUC: Dont let Verizon force customers into taking a service that is not needed. Make sure they provide the services that were paid for without

218704 Consumer Writes: "On April 12 2012 I called Verizon customer service in order to transfer my landline service as we are moving across town at the end of this month. I was then informed that Verizon starting this month will no longer provide just landline service and you also need to purchase their Fios internet also. I have been on the Lifeline program for over 7 years and now they are forcing me to get their internet as well. I can not afford Fios. This is wrong and they need to stop this as the apartment we are moving to only has Verizon as a

Utility Comment: They said there is nothing they can do.

Request of CPUC: To inform/regulate Verizon that low income families need Lifeline so in case of emergencies we have a way to call for help. I would think this practice goes against with what Verizon signed in order to be able to have Lifeline. Once again another corporation trying to make money from the poor.

March = 3

April = 0

Complaint / Concern: I called repair because my phone had terrible static. Appt. sched. for Sat. 5/26. i got an email and text stating they would be at my home to fix the problem between 8-noon. no show, at 3:20pm i called, ticket was on hold to install Fios! I never requested or was told about fios. This a.m. someone came out, fixed the statis, restored my old copper line to work but said i had to get

May 225475

Verizon to cancel the fios order or id loose everything he did. This morning i called the number that was provided to me by the verizon repair guy, i held for 2 hours and my husband held for 1 hour while they supposedly fixed the problem, not fixed, no phone at all now!! Tonight, I held again and kept getting switched from one dept to the next, talked to someone then get disconnected. We keep getting the run around, nothing fixed, they had my call back number and no one

Utility Comment: see above, no help, they keep blamiing it on differencnt dept.s within verizon but that doesnt get my phone fixed. my home line 714-xxx-xxxx is Request of CPUC: please contact verizon and have them fix my home line 714-xxx-xxxx!!! i dont know where else to turn. my husband had major open heart surgery a few months ago. this is the only line our drs have to contact him and verify appts. verizon is aware of this but obviously doesnt care!!

May = 1

June 226294

consumer is seeking to have verizon cease solicitation of fios and to correct/assure quality of service-

227745

Complaint / Concern: My phone and internet will be converted to FIOS service. Utility Comment: That this is "Forced Migration" and if I do not accept I will be disconnected and must find another service provider.

Request of CPUC: Stop it.

Utility Name: Verizon

228780

A person named xxxxx from Verizon is threatening that if we dont switch over to digital and get rid of copper that their response time for fixing any phone problems will go from 1 to two days too two weeks.

I assume they must be doing this with all businesses. I thought the Public Utility Commission should know that Verizon is trying to pressure their customers into making a change based on withholding repair services for two weeks.

Since they have a monopoly on local phone service this seems to be against public policy and not in the best interest for consumer protection.

June = 3

July = 0

August = 0

consumer is told they must migrate to fios or the service they have will remain impaired-

Complaint / Concern: I got this letter from Margaret Serjak, California Region President of Verizon telling us that we need to transition our existing service to their fiber optics (FIOS) to resolve the landline service issues in your area. This transition will be no charge to us and we keep our current service at the same rate by calling their representative.

September 239620

Utility Comment: I called this number 877-505-5190 today (9/3/12) and spoke to Steve. According to him, all they are going to do is insert this fiber optics line to our current line but our current service will not get connected to it if we elect to keep it. The only time we will get connected is when we switch to FIOS.
Request of CPUC: I think this is a classic bait and switch practice; the letter and their representative are telling us two different things. Ive been having this on going issue with Verizon since we moved in this area in 2007 just because I dont

September = 1

October = 0

Consumer Writes: " My concern is that Verizon is committing fraud by saying that certain services are "not available" in certain areas, even though those services clearly already exist. I currently have my copper wire home phone service and DSL Internet Service with Verizon. I wanted to upgrade my DSL speed from the current 0.5-1.0 Mbps speed to the higher 1.5-15 Mbps. Yet when I went to their web site to do this, they said this service was "not available" at any speed. How can it be "not available" if I already have this service? Further, I found that my telephone service as I have it now was no longer "available". The technology and infrastructure for the service I want is in place. They just dont want to do it and fraudulently state that its "not available"
Utility Comment: They told me very simply (through a web chat) that only the services listed on their web site for my address were the only services that were "available" (regardless of the fact that these services are already being delivered to my address). They said that if I wanted to upgrade or change any of the services I currently have, I would need to upgrade to their FiOS system, which would be much more expensive.

November 251251

Request of CPUC: Have them admit their fraud, and force them to continue making available the services that they clearly already have in place. If a service

November = 1

December = 0

TOTAL = 15

YEAR 2013

Month	Case Number	Comment
JAN	258489	<p>Complaint / Concern: Verizon is refusing to connect a home phone line to my existing copper lines coming to my property (Plain Old Telephone Service, POTS), they will only offer phone service through their Fios fiber optic system. The initial order was placed January 7 and after much discussion I was told at that time that they would connect through the copper lines as I insisted on this. Since that initial order they have sent 3 different service techs that only work with the Fios system, not the original copper lines. In the last two weeks I have talked with 37 different Verizon people and spent over 28 1/2 hours on the phone with them trying to resolve this.</p> <p>Utility Comment: I have been told so many different things by so many different people that I have lost track. The latest is that they will only connect a phone service through the Fios fiber optic system, even though the original copper wires still come to my house and are live, i.e. they have a voltage. All three of the Verizon Fios techs that have been here have told me that the copper lines can be used but Verizon is trying to remove them to eliminate options/competition by controlling everything through the Fios network.</p> <p>Request of CPUC: Help me to get the phone service connected through the original copper lines.</p>
	260172	<p>Complaint / Concern: My phone line for alarm service went dead intermittently one day causing the alarm to beep on and off, so I called Verizon Repair. I was forwarded to a Dept that tried to sell me upgraded service. I told them I was not interested. I scheduled a Repair Tech to come out. No one showed. Today Verizon tried to convert my phone to FIOS with a phony service request. My son is very sick after surgery. I NEVER ORDERED A PHONE UPGRADE. I learned that someone had falsified records at Verizon stating that I called repeatedly about trouble on line. In 15+ years I have never reported trouble. Verizon is falsifying reports as an excuse to upgrade service. They are intentionally doctoring records and causing problems to line to justify upgrade regardless of timing or problems. If not home today Verizon would have changed my phone service without permission, disrupting my phone and internet. They admit my internet modem/router wouldnt have functioned and my phone system would not have operated.</p> <p>Utility Comment: They have done absolutely nothing!</p> <p>Request of CPUC: To investigate the practices at Verizon to coerce customers to upgrade to FIOS by falsifying service reports and intentionally causing problems to lines. As well as frauduently scheduling service upgrades without the consent or knowledge of the customer. These actions are outrageous and quite likely illegal.</p>
	256604	<p>Received consumer's complaint that service was out for 12 days. Consumer states that it took almost 12 days for a technician to repair the service. She states that the reason for the delay is to try and get her to upgrade to FIOS, which she wishes not to have. She stated that due to the outage this caused for her router to be destroyed. Please see letter attached.</p>

Please investigate, contact consumer and respond to the CPUC with resolution.

January = 3

Feb 263807

Consumer contacted the CPUC Public Advisors Office about a matter with Verizon. He states the jacks in his apartment had been "dismantled" and made inoperable by Verizon in order to install FIOS. He says that he wants to keep the copper wiring and did not order phone or internet service only CABLE. He was told by the technician that he could not be switched back. He is adamant about keeping his service analog as VoIP is not a regulated service

FEB = 1

March 267321

Complaint / Concern: I WANT TO MAKE THIS CLEAR THAT THIS IS AN ISSUE OF TELEPHONE AND DSL SERVICE OVER COPPER LINES FOR WHICH THE PUC HAS JURISDICTION. I have had copper based phone line and/or DSL services with Verizon from 2006 to 3/12/13. On 3/12/13, I ordered new services from Verizon. Verizon came out the same day to install the new services. At the time, I did not know that Verizon removed my copper phone lines without my knowledge when I requested additional services. I was not made aware that they would be doing this and would not have agreed to it. The advertisements from Verizon state that if I am unhappy, I can cancel services anytime. I am unhappy with my new services and called Verizon today 3/18/13 to cancel services and get my old services back (copper land line and DSL). They told me that once I upgraded services I cannot go back because it was too costly for Verizon.

Utility Comment: Verizon told me there was no going back to my old services, that my copper lines were pulled from my house when I added services. (I looked outside and my copper lines are still there) Verizon stated that they will not convert customers back once this change was made as they are migrating people and it was too costly for Verizon to put back my previous services. This is not reasonable or fair. If I am unhappy with the service, I can cancel anytime and I should be able to go back to how things were. We had an internet outage last night and I was unable to use the telephone. If this was an emergency, we would have Request of CPUC: I never authorized Verizon to REMOVE my copper lines, only to add services. I am unhappy with the new services and want my old services put back. This is not impossible, just "costly" according to Verizon. This is fraud. They advertise that if you are unhappy with the services you can cancel anytime. However, they do not advise you that if you cancel, you will not be able to get your old services back, nor will you ever be able to obtain services from anyone else. I WANT MY ORIGINAL COPPER LAND LINE AND DSL REINSTALLED.

264765 Complaint / Concern: My telephone has been out of order since early Dec. They sent out techs to fix it and it would work for a few days. Finally one tech said it was unfixable. They arranged for my service to be moved to the fiber optic Vios service. They placed conduit to my house and said the tech would come Jan.11. They had to cancel the appt. and said some one would call me. They have never called me. I have called them and made appt.s and the techs either do not show up or they are the wrong type and can not install my service. The bills come regularly though. I had my service disconnected today because I cant spend hours on the phone with them every week. My people in my neighborhood have this problem. Thank you.

Utility Comment: See above.

Request of CPUC: Fine them heavily.

Make them come out and install my service.

A personal apology from CEO Lowell C. McAdam.

March = 2

April 271319 CONSUMER VERY UPSET THAT VERIZON IS MARKETING "FIOS" TO CONSUMER'S IN AN UNETHICAL MANNER. THIS INCLUDES:
-MISREPRESENTING / DISGUIISING THE REAL REASON FOR MARKETING CALL, INSTEAD STATING IT WAS ABOUT A "ROUTINE MAINTENANCE / REPAIR ISSUE;
-NO CHANGE TO CONSUMER'S SERVICE;
-DIGGING A TRENCH ON THE CONSUMER'S PROPERTY;
-DRILLED HOLES INTO THE SIDE OF CONSUMER'S HOME AND RUNNING A THICK COIL UP THE SIDE OF HOME;
-UTILIZING CONSUMER'S WATER AND WATER HOSE WITHOUT PERMISSION;
-NO COST TO CONSUMER;
CONSUMER SEEKS COMPENSATION FOR WATER THEFT, LOSS OF DESTROYED PLANT, REMOVAL OF VERIZON CABLE ON THEIR GARAGE, COMPLETE RESTORATION OF PROPERTY TO ORIGINAL CONDITION AND COMPENSATION FOR LOST WAGES. LASTLY, CONSUMER WANTS VERIZON TO CEASE AND DESIST IN IT'S UNETHICAL TACTICS TO FORCE CONSUMER'S TO ACCEPT FIOS SERVICE*

269927 Complaint / Concern: Phone company changed my phone to a digital VOIP service without my consent and without informing me and will not correct their error.
Utility Comment: "Cannot go back" to previous phone service.
Request of CPUC: Force them to reinstate my previous phone service. Cite them for changing phone service without consent or notification and refusing to correct their mistake.

271319 consumer alleges that Verizon did not specifically say they were changing lines to "FIOS" but that only new lines were needed to improve transmission, and she NEVER requested nor ordered this service, regardless what Verizon claims; rather thought she was simply accomodating them to replace new lines only at their expense (maintenance, etc.,) which is what they stated was necessary.

April = 3

May 274947 Complaint / Concern: Verizon operates our telephone land-line. We pay for DSL Extreme for our internet connection. Lately we have been having trouble accessing the internet.

Utility Comment: When we call Verizon they apologize for the difficulty caused by their lines, and suggest that we switch to Verizon FiOS, which is more expensive than our current DSL connection. We believe it is a scam to force us into buying FiOS. Even if we did switch over to FiOS, we would have to have a section of concrete in the front yard destroyed and repaved in order to access Verizon FiOS.

We do not want FiOS, we have told Verizon "no" several times. Our internet accessibility continues to decline and is sometimes non-existent. Our concern is that they are deliberately allowing network issues to occur to force customers into buying their services. We are not the first family we know of with a Verizon phone line to experience this issues.

Request of CPUC: I would like the issue to be investigated to determine whether Verizon is abusing their duty to their customers in their position as a monopoly.

May = 1

June 281786 Complaint / Concern: I wish Margaret Serjak regional VP at Verizon was ethical in her marketing practices. Her company and staffers who work for the company lie to people in order to get people to switch to Fios. Her auto call says were sorry for phone line issues and we would like you to switch to Fios, but copper phone service is working ok for my family. I know Verizon has a fiscal interest to get people to switch over, but many people in our state are content with POTS (copper).

Utility Comment: Nothing, I did reach them through Facebook and their social media manager never sent a reply back.

Request of CPUC: Prohibit Verizon from sending emails or phone calls saying the phone service has issues when copper phone service is working all right. Misleading marketing is not ethical in trying to get people to switch over.

June = 1

July 284424 Complaint / Concern: NO PHONE SERVICE TO A 96 YEAR OLD WOMAN WHO LIVES ALONE

Verizon telephone service is upgrading the area to fios. They contacted my mother whos account) above I have referenced telling her that they were going to change her phone service from a copper line to fios on 7/25/2013. The technicians came and started the job but stopped half way and left the job undone. Her copper line phone service had been disconnected and she is without a phone. She is 96 years old. Last year she fell in the middle of the night she was able to call me and say my name. I went over to her house and she was near death. Had that happened last night I would have found her dead when I went over to her house because I could not reach her.

Utility Comment: I have spent in total over 3 hours trying to get someone who could get her phone service back. She does not have a cell phone as she is hard of hearing and cannot hear on one. I last night I got a run around as I did not have her account number. I finally got to a representative who tried to help but couldnt due to that catch 22, a supervisor was "too busy to be bothered with that problem" I called back this morning and was able to schedule a visit for this afternoon. When I called because no one showed up found out they had cancelled the order for today. I went through the automated phone system, had a representative who tried to help and she told me it would take until August 1st before they could come out. I asked for a supervisor and got the "billing" supervisor who said the same thing. He then connected me to Verizon cell phone service to get a cell phone for her.

Request of CPUC: I would like the CPUC to investigate and then heavily fine the company because if they can do this to my mother then the corporate mentality of for profit without a mortal compass wins.

July = 1

Complaint / Concern: Over the past several months, I have requested the start of non-fiber, PUC-regulated copper service that utilizes pre-existing (and available) copper wire pairs from the street, and that works with my pre-existing phone jacks.

Utility Comment: They claim that because a Verizon installed an ONT box to provide video, as provided for by the HOA, they are now unwilling to allow copper service anymore, in an attempt to push customers over to fiber, which can be unregulated and must utilize only one single RJ-11 jack located inconveniently alongside the ONT box.

Request of CPUC: Order and direct Verizon Communications, as a natural monopoly and the incumbant carrier in the City of Long Beach, to connect POTS (plain old ttelephone service) using PUC-regulated copper lines that utilize my pre-existing phone jacks in my bedroom and living room area, and disregard the presence of the ONT box. This mixed service is called multi-media service.

Utility Name: Verizon Communications

August 290514

August = 1

Sept = 0

Complaint / Concern: On Sep 21 the phone stop working. My understanding at time the Internet connect & TV was switched to FIOS was that the phone would stay on the copper line. The residents at this address are over 90 years old & I need the more reliable service & 911 access. When I called to explain that the phone stopped working I call the copper line repair. The person told me that the phone was now on FIOS & I would be transferred. I asked to speak with a supervisor & was put on hold for 1 hour & 45 minutes before I hung up. Later in the day the phone started to work.

Utility Comment: I never spoke to a live person. I tried their chat, explained the problem, but the canned chat responses did not solve my problem.

Request of CPUC: 1. Verify that 310-375-xxxx is a copper line
2. If the line is FIOS have verizon change it to copper which was our original agreement.

October 296113

3. I lost 2 billable hour, please have verizon compensate me for my lost income.
Utility Name: verizon

299060 Consumer says that he is on the do not call list and he continues to be contacted. He says that Verizon technicians have come twice to install FIOS which he has never requested. Consumer seeks to be removed from all lists. Please investigate his concerns. Contact both the consumer and PUC with your investigation results and a resolution.... Thank You

October = 2

Nov = 0

December 306393 Complaint / Concern: I was a customer of Verizon and in October, I called them to schedule a change of address because I was moving in November. It was agreed they would switch me over with no charge, but they did not provide TV service at our new home, so they said they would cancel that portion of our service no charge. They also told me I would have to switch from DSL to FIOS and add in a home phone line, even if I never used it, that was my only option. Over the next 2 weeks, I spent over 14 hours on the phone trying to get our internet working, they said they sent 4 technicians out, but twice they didn't show up and there was NEVER a technician in my home. I called and complained and they told me that they would not be able to get it to work and that they would cancel my service. I inquired further and they insisted and promised I would not receive a cancellation charge or ANY other related fees. Dec. 15th, I received a bill for \$206. 85 for cancellation fees and other related charges.

Utility Comment: I called Verizon right at 8:00am when they opened on December 16th, I spoke with 4 people before I found someone that said they would help me. I explained to her the problem and not only was she rude, she told me they were valid charges, that she was the only person that could help me and that she wouldnt be doing anything. I told her I was so upset and she told me my only option was to let it go into collections. That makes no sense! I would never ruin my credit on their behalf. I begged to talk to someone else or for her to listen to my story. She ended the conversation while I was still talking and then hung up on me. I called back again and the same thing happened. I am so upset. This seems to be the only option to voice my complain and have a chance at having the bill reversed.

305339 Complaint / Concern: On November 22, 2013 I requested to have Fiber Optics discontinued and restore COPPER Land Line Services. Fiber Optics does not work on LIFE ALERT and/or SECURITY Systems in a Power Outage.

Utility Comment: On the 22nd of November they submitted a work order to change FIBER to COPPER line. Verizon manager assured me it will take from a few minutes to 4 hrs to restore the COPPER line. However that was not the case. We were out of phone service for 4 entire days. I contacted Verizon about no phone service. Within minutes the phone service was restored. I asked them if the phone service was going to be the COPPER line. They assured me that it was going to be as ordered (Copper Line). Since November 22, 2013 I continue to have fiber optic line. I have called Verizon time after time and now it is unfortunate they say they cannot restore my line to Copper. Verizon has continued to deny my request and take me on a wild goose chase.

Request of CPUC: Have Verizon restore my Land Line to Copper

December = 2

Total = 17