

To: Oregon Public Utilities Commission

From: Priscilla Weaver on behalf of all CenturyLink/Lumen land line customers in the area implicated in docket UM 2206, including without limitation customers served through RT 2900 and RT 2600 and the residents of Phoenix/Talent and communities along the southern coast whose similar complaints were folded into this docket

Date: September 13, 2022

Re: Request for relief in docket UM 2206

The purpose of this filing is to request that the PUC exercise its authority to impose a penalty/fine on CenturyLink/Lumen commensurate with CL's multi-year failure to provide safe and reliable land line service in the public interest and its ongoing refusal to take the steps necessary to keep its phone lines and equipment in good repair.

It took eight years and pressure from the PUC before CenturyLink took the very first step to cut down on multi-day outages — the elementary step of installing working backup batteries to keep land line service operational when there is a power failure.

It has been nine months since we asked the PUC to require CenturyLink to provide a simple, dedicated phone number linked directly to their widespread outage/priority service department so that repairs would not take a week or longer (in one instance eight months) to be initiated, and CenturyLink still will not give us this simple partial remedy. Nor will CenturyLink restore the remote monitoring system that used to notify them automatically when an outage occurred. In each instance – batteries, dedicated reporting, and automatic notification – CenturyLink made a business (i.e., financial) decision not to spend the money. Since CenturyLink will not voluntarily fulfill its obligations, the PUC must act to ensure compliance in the only way CenturyLink recognizes – through its corporate pocketbook.

We have now had dropped calls or no dial tone at all for 14 days with no end in sight. There has not been a single power glitch or outage, nor a fallen tree, nor a rain or wind storm during this time. Worse yet, we are getting wildly inconsistent responses even from the general 800 repair/outage system. Is it a "cable failure"? something wrong at the "Buncom junction box," a "card failure?" Who knows?

It is obvious that only a significant financial penalty that will hit CenturyLink/Lumen directly in its wallet will get their attention.

It is our understanding that a multi-million dollar penalty was assessed against the company a few years ago when they refused to reinstate service farther north in Oregon after a catastrophic wildfire. We know, after the working session a couple of weeks ago in this docket, that the PUC unquestionably has the authority, without opening another docket or another investigation or holding more hearings, to impose penalties. We suggest the following

rationale, or something similar, would result in an appropriate and unquestionably warranted two-pronged penalty/fine in this case:

1. CenturyLink's service quality failures are documented back to at least 2014 and probably longer. A penalty that accounts for those eight years is in order as the kind of deterrent that might finally get CenturyLink to take the matter seriously.
2. Without either CenturyLink or individual customers having to expend resources to document to the penny what each of us has paid for service we did not receive for those 8 years — land line service 24/7 — we know that CenturyLink currently charges about \$100/month for minimum land line service, or approximately \$1200/year per customer, for a total of \$9,600 for the eight years.
3. Again, without asking CenturyLink to expend the resources to document a list of specific customers affected during each of the last eight years, we can estimate that approximately 200-300 customers were affected each year. Thus, an appropriate penalty would be in the range of \$1,920,000- \$2,800,000.
4. Accordingly, we request that the PUC immediately impose a midrange penalty of \$2,500,000 on CenturyLink for their failure to provide safe and reliable land line service over the last eight years
5. To make the PUC's enforcement functional and the penalty/fine effective, i.e., assure that CenturyLink keeps its system operational going forward, the PUC also should automatically penalize/fine CenturyLink \$100,000 per day any time a future outage is not remedied within 24 hours. CenturyLink has it entirely within its control to make sure this penalty is never assessed: reinstate the automatic remote monitoring system that used to alert them when a phone line in our area went dead and prioritize repairs when the monitoring system sounds the alarm. If the batteries are working, no power outage will take out our phones for more than the few minutes it takes for the batteries to kick in. If a rainstorm gets their underground wiring wet and shorts out the system, it's because CenturyLink didn't fix broken green boxes. Their lines are buried copper cable so tree falls should not take out the phones. Only CenturyLink's unmaintained equipment is implicated

It is high time CenturyLink be required to comply with their obligations rather than continuing to make a mockery of the regulatory system on which the people of Oregon rely to protect them.

Respectfully submitted,

Priscilla Weaver