

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 22, 2022**

REGULAR X CONSENT _____ EFFECTIVE DATE _____ N/A _____

DATE: February 14, 2022

TO: Public Utility Commission

FROM: Joseph Bartholomew

THROUGH: Bryan Conway, Marc Hellman, and Bruce Hellebuyck **SIGNED**

SUBJECT: QWEST CORPORATION dba CENTURYLINK QC:
(Docket No. UM 2206)
Investigation update for Jacksonville, Oregon and surrounding areas.

STAFF RECOMMENDATION:

This is an information filing with no recommendation for the Commission.

DISCUSSION:

Issue

Staff is informing the Oregon Public Utility Commission (Commission or OPUC) of the current status of the Jacksonville investigation.

Applicable Rule or Law

A telecommunications utility is obligated to afford safe and adequate services. Under ORS 759.506(1), a telecommunications utility with allocated territory is obligated to “[p]rovide adequate and safe service to the customers of this state.”

OAR 860-023-0005 provides: “Each energy utility, large telecommunications utility, and intrastate toll service provider must have and maintain its entire plant and system in such condition that it will furnish safe, adequate, and reasonably continuous service.” Under ORS 756.040(1), the Commission’s general powers and duties include the obligation to obtain for the customer of telecommunications utility “adequate service at fair and reasonable rates.” To this end, “[t]he commission is vested with power and jurisdiction to supervise and regulate every public utility and telecommunications utility

in this state, and to do all things necessary and convenient in the exercise of such power and jurisdiction.” ORS 756.040(2).

Under ORS 757.035(2), the Commission may require the operator a person engaged in the operation of telephone lines, plant, system, equipment or apparatus to take action that is necessary for the protection and safeguarding of the health and safety of its customers and the public.

Per ORS 756.515(1), the Commission may, on motion, and without notice, summarily investigate any matter when the Commission “believes that any rate may be unreasonable or unjustly discriminatory, or that any service is unsafe or inadequate, or is not afforded, or that an investigation of any matter relating to any public utility or telecommunications utility or other person should be made.” Upon investigation, without notice or hearing, the Commission may make any findings and orders it deems justified or necessary, as provided in ORS 756.515(4).

The Commission approved Staff’s recommendation to open an investigation into Qwest Corporation dba CenturyLink QC (CenturyLink or Company) in Order No. 21-470.

Analysis

Background

On December 14, 2021, at the Oregon Public Utility Commission Public Meeting, the Commission adopted Staff’s recommendation in Docket No. UM 2206 under Order No. 21-470 to open an investigation into the un-reliable telephone services provided by CenturyLink for Jacksonville, Oregon and surrounding areas. Staff recommended the opening of this investigation based on historical and ongoing safety and reliability issues experienced by customers in the Jacksonville area.

Staff Update on Investigation

Staff has been in contact with customers from the Jacksonville area since the Commission opened the investigation. On January 11, 2021, Staff received a notification via e-mail from a customer that the area lost dial tone services on either the evening of December 24, 2021, or the morning of December 25, 2021 (See Attachment A). Per the customer, several people reported the outage and they were told by the Company that the issue was either a cable issue, a problem in the remote terminal, or that no one else had reported an outage. The customer did state that the power fluctuated a few times but they never lost power and the land lines were without service. They regained service on December 26, 2021, but it was intermittent until December 27, 2021, at which time the dial tone remained stable.

Staff discussed this outage with CenturyLink and their response was, due to the backup batteries in the remote terminal needing replacement, when the power fluctuated the remote terminal lost power and was not able to regain power until a CenturyLink technician went to the remote terminal and manually turned the power back on. CenturyLink also stated that they ordered new batteries and they were supposed to arrive in December 2021 but, due to shipping delays, they are now slated to arrive in February 2022.

On December 13, 2021, Staff sent CenturyLink a six-step cable plant restoration process which if completed would bring the cable plant to “like new” conditions. CenturyLink’s response to Staff recommendations was they felt that work completed during the summer of 2021 (hardening pairs in three separate pedestals) brought their plant back to standard and it is now stable. CenturyLink also stated they believe the issue is the backup batteries and once replaced, the telephone services will then remain stable.

On January 26, 2022, Staff issued a set of Information Request (IRs) in the docket requesting a wide range of information on the Company’s service to the Jacksonville area.¹ Those IRs touched on both the number and type of customer service issues experienced in the area since 2014 and steps that the Company has taken to remediate those issues. The initial due date for the IRs was February 9, 2022. Staff received a request for an extension from the Company because the IRs requested information dating back to 2014. Staff granted an extension until February 11, 2022, which the Company stated would provide them with adequate time. Staff received responses to a number of those IRs on February 11, 2022. Staff is not satisfied with the detail provided in these IRs, and notes that the Company has still not provided information dating back to 2014 about service issues in Jacksonville despite being granted an extension.

Staff reviewed the Company’s IRs and has developed a deeper understanding of how the Company addresses service issues in this area. In its IR responses, the Company described that it has only taken two steps to resolve these service issues in Jacksonville. The customers in Jacksonville have been experiencing these service issues since at least 2016, and the Company only took these steps in 2021. The steps were (1) hardening of cable plant inside certain pedestals, and (2) the replacement of backup batteries in the remote terminal.² Staff is not satisfied with these steps because their response described that they only hardened the cable plant in three separate pedestals. The cable plant is the cable that provides dial tone to the customers, and the pedestals house the cable that comes above ground so they can hook services up to

¹ See Attachment B, Confidential Attachment C.

² See Attachment B, Response 5.

the customers. If the cable plant is not hardened correctly, it means that there will still be outages coming out of that pedestal, and customers will not have phone service. By only hardening three pedestals, the Company has only fixed the service issues for three out of over 60 pedestals, meaning customers will likely continue to experience outages until the Company hardens all of its pedestals. Staff is also concerned that the Company still does not have backup batteries, but the Company has told Staff that they are awaiting the delivery of batteries to address this concern. Staff is planning to continue to investigate these service issues during a site visit on March 8, 2022, and through additional requests for information from the Company. As a next step in the investigation, Staff is developing additional requests for information from the Company to determine how to adequately solve the service issues in Jacksonville.

During the course of this investigation, it has come to Staff's attention that CenturyLink customers in a different part of rural Oregon have been experiencing serious safety and reliability issues with the utility as well. On January 31, 2022, the Commission's Emergency Preparedness Manager Lisa Gorsuch was contacted by the Eastern Region Coordinator of the Oregon Office of Emergency Management, Tim Seymour. Mr. Seymour communicated that a CenturyLink customer in Ritter, Oregon – a rural city in northeastern Oregon – was experiencing dead landlines and dead emergency backup batteries in the telephone posts in their area.³ The customer asked that the issue be escalated to solve the immediate safety and reliability issue of not having phone service from CenturyLink, but also asked that Mr. Seymour's agency ask the Commission to look into the "ongoing deterioration of phone services to our region." The matter was referred to the Commission's Consumer Services section.

Like Jacksonville, this is an area that does not have cellphone service, so no landline service creates the potential for an emergency for those customers. Staff is concerned that another rural city in Oregon that is in a wholly different part of the state is also experiencing the same service and reliability issues with the Company. Staff's first round of IRs described above explored the Company's response to service outages generally, and Staff will continue to update the Commission on whether the investigation's scope needs to be expanded beyond the Jacksonville area as more information emerges.

Staff will meet with CenturyLink representatives on March 8, 2022, to complete a physical inspection of the current cable plant and make recommendations as needed.

³ See Attachment D.

Conclusion

Staff is conducting a physical inspection of the cable plant on March 8, 2022, to further investigate the Company's approach to service issues. Staff will continue to work with the Company to adequately resolve these service issues. Additionally, Staff will continue to monitor service issues in other areas of the State.

PROPOSED COMMISSION MOTION:

This is an information only report with no recommendation for the Commission.

BARTHOLOMEW Joseph * PUC

From: Priscilla Weaver <priscilla@saltmarshranch.com>
Sent: Tuesday, January 11, 2022 12:41 PM
To: BARTHOLOMEW Joseph * PUC
Cc: REP Marsh; Kathy Horner
Subject: Docket Number UM 2206-

Good afternoon Joseph and happy new year!

Not sure of the protocol, but I wanted to update your records on the final outage of 2021 on our beleaguered CenturyLink land lines that you and your colleagues are investigating.

Sometime during the night of Christmas Eve or in the early morning of Christmas Day (Dec 25), our land lines went out. Several people called it in and we were told that it was a cable issue, a problem in a remote terminal, or that no one else had reported an outage.

We did have a snowfall on Christmas Day and a few times the lights flickered, but we never lost power, only the land lines. Whether one of the power blips caused the phones to shut down, I cannot say.

Our land lines were out all day on Christmas, with service coming back on the morning of December 26. We then had intermittent service that and into the morning of December 27. Once again we were lucky that no one needed to use 911 during the outage.

That was our last outage for 2021. We have not had any outages so far in 2022.

Please let me know if you need further details.

Thanks for the work you and your colleagues are doing to get us help.

Priscilla Weaver
541-899-1672

February 11, 2022

Via Huddle E-Filing



Oregon Public Utility Commission
P.O. Box 1088
Salem, OR 97308-1088
Puc.filingcenter@state.or.us

RE: UM 2206 – Investigation Regarding the Provision of Service in Jacksonville, Oregon and Surrounding Areas

Attached for filing are CenturyLink/Lumen responses to Staff data requests numbers one through seven in the above captioned docket. CenturyLink/Lumen provides this information as confidential pursuant to OAR 860-001-0070 and ORS 192.345 through 192.478. The information supplied contains trade secrets that, if disclosed, are likely to result in competitive disadvantage to the company.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Peter Gose".

Peter Gose
Regulatory Affairs Director

Attachments

14530 NW 63rd Street
Parkville, Missouri 64152-8703
Tel: 816.759.2895
Peter.Gose@Lumen.com

1. Please explain, and provide any supporting internal correspondence or documents, how the company decides when and how to implement needed investments to improve service to the customers located on Little Applegate Road in Jacksonville, Oregon (LAR Customers).

RESPONSE: Lumen regional operations personnel monitor network integrity. As service impacting issues arise that require remediation, regional operations personnel assess the condition of the network, causes of service impacting issues, and use their professional judgment based on training and expertise to determine how best to remediate the issues. Please refer to response to Staff Data Request #5 for information regarding specific outcomes in the LAR.

2. Who are the decision makers, name, job title and location, with regards to making capital investment to improve service to the LAR Customers.

RESPONSE: Stephanie Herron, Vice President Network Implementation, Warren, Ohio

3. If no capital investments were deemed required to improve service to the LAR Customers, please explain why.

RESPONSE: Investments to stabilize service for customers in the Little Applegate Road area were identified and implemented in 2021. See response to Staff Data Request #5.

4. Please provide a quality of service report, by month, from January 2014 to the present, for the local exchange providing service to the LAR Customers. Please include all statistics including those representing service outages, total number of LAR Customers served, percentage of LAR Customers affected by the outage.

RESPONSE: See supplied file: CONFIDENTIAL DR4-220207 Jacksonville RSQ ATC TRR.xlsx. Data for this response is provided from January 2019 through December 2021 as that is the only information readily available without the performance of special studies and extensive data retrieval methods. This data is maintained at the wire center level and as such statistics specific to LAR Customers are not broken out.

5. Please provide a listing, by month, by year, beginning in 2014, for each capital investment, identifying equipment type, date of original equipment order, date of installation, and installed cost made to improve the local exchange and service connections (loops/other) to improve service to the LAR Customers.

RESPONSE: August/September 2021: Pedestal and cable rehabilitation and replacement for segment in area prone to contribute to outages. Installed cost \$5,897.60.

December 2021: New battery string order placed in amount of \$3,479.04 not inclusive of installation costs. Supply chain issues have delayed receipt of material.

6. Please provide a list of all communications provided to the LAR Customers where the Company acknowledges service outages and timing of investments to improve service.

RESPONSE: Company personnel, including regional operations staff and government affairs personnel have provided certain LAR Customers with personal mobile phone numbers for assistance at any time during a service outage. Apart from reference to pedestal and cable hardening, Lumen personnel have mentioned to certain LAR Customers that Lumen successfully bid on portions of the area to improve service under the Rural Digital Opportunity Fund (RDOF). Conversations respecting RDOF contained no specific reference to timing of future investments and cannot until such time as Lumen receives final approvals from the FCC.

Email dated Tuesday, 9/21/2021, between Rep. Pam Marsh, Tre Hendricks, and LAR residents Kathy Horner and Pamela Weaver.

7. Please list every service outage in the Jacksonville area since 2016 through current and include the date, cause, number of customers affected, and the duration of the outage.

RESPONSE: Lumen objects to this request because it is overly broad and unduly burdensome and to fully answer it would require a special study – the request seeks information that Lumen does not maintain in the ordinary course of business. In addition, Commission rules do not require maintenance of the requested information. Lumen notes that under OAR 860-023-0055 (9)(d) no record retention requirement exists for service interruption notification. Nevertheless, Lumen provides file CONFIDENTIAL DR7-Outage.xlsx

Attachment C is confidential

BARTHOLOMEW Joseph * PUC

From: CONWAY Bryan * PUC
Sent: Monday, January 31, 2022 9:04 AM
To: KOHO Lori * PUC
Cc: GORSUCH Lisa * PUC; BARTHOLOMEW Joseph * PUC; Goatcher Jill D; HELLEBUYCK Bruce * PUC
Subject: RE: CenturyLink phones down in area without cell service.

Yes, this should go to Consumer Services and a copy to Bruce, Jill Goatcher and Joe.

From: KOHO Lori * PUC <lori.koho@puc.oregon.gov>
Sent: Monday, January 31, 2022 9:02 AM
To: CONWAY Bryan * PUC <Bryan.CONWAY@puc.oregon.gov>
Cc: GORSUCH Lisa * PUC <Lisa.Gorsuch@puc.oregon.gov>
Subject: FW: CenturyLink phones down in area without cell service.

Bryan,

This is a complaint that is coming through OEM about the non-responsiveness of Lumen to an outage in a remote area. Do you want to track these sorts of things in our normal consumer's complaint system or have it with your discussions with Lumen?

Lori

Lori Koho
503-576-9789

From: GORSUCH Lisa * PUC <Lisa.Gorsuch@puc.oregon.gov>
Sent: Monday, January 31, 2022 8:39 AM
To: SEYMOUR Tim * OMD <Tim.SEYMOUR@mil.state.or.us>; Eric Bush <bushe@grantcounty-or.gov>; KOHO Lori * PUC <lori.koho@puc.oregon.gov>
Cc: Todd McKinley <mckinleyt@grantcounty-or.gov>; JIMENEZ Doug * OMD <doug.jimenez@mil.state.or.us>; CHAPMAN William * DAS <William.CHAPMAN@das.oregon.gov>
Subject: RE: CenturyLink phones down in area without cell service.

Thank you for including us Tim. I will be reaching out to our contacts at CenturyLink about this situation and will be back in touch.

Lisa

Lisa Gorsuch
Emergency Preparedness Manager
ESF 2 and ESF 12 (Communications and Energy)
Oregon Public Utility Commission
201 High ST SE Suite 100 Salem, OR 97301
(503)510-8769 Cell Phone

(254)377-4022 Satellite Phone
lisa.gorsuch@puc.oregon.gov ** NEW EMAIL ADDRESS **



From: SEYMOUR Tim * OMD <Tim.SEYMOUR@mil.state.or.us>
Sent: Monday, January 31, 2022 8:23 AM
To: Eric Bush <bushe@grantcounty-or.gov>; KOHO Lori * PUC <lori.koho@puc.oregon.gov>; GORSUCH Lisa * PUC <Lisa.Gorsuch@puc.oregon.gov>
Cc: Todd McKinley <mckinleyt@grantcounty-or.gov>; JIMENEZ Doug * OMD <doug.jimenez@mil.state.or.us>
Subject: RE: Centurylink phones down in area without cell service.

Eric – thanks for reaching out. I’ve included our OPUC contacts on this thread as well as our OEM Communications Lead Doug Jimenez for awareness.

Lisa or Lori – What’s the appropriate process for escalating this sort of situation? Is this something you can assist Eric (the new Grant County EM) with getting resolved? Or at least get him in touch with the correct people at CenturyLink to get status updates? If this isn’t the correct process for escalating, can you point us in the right direction?

Thanks,
Tim



Tim Seymour, Response & Preparedness Regional Coordinator
Eastern Region
Operations and Preparedness
Oregon Office of Emergency Management
Mobile: 971-719-0977
tim.seymour@state.or.us



From: Eric Bush <bushe@grantcounty-or.gov>
Sent: Monday, January 31, 2022 08:15
To: SEYMOUR Tim * OMD <Tim.SEYMOUR@mil.state.or.us>
Cc: Todd McKinley <mckinleyt@grantcounty-or.gov>
Subject: FW: Centurylink phones down in area without cell service.

Tim,
See the below message from a citizen in one of our more remote communities. I am personally aware of how difficult Centurylink can be with regards to their customer service and this long-term landline outage in an area that has very limited cell capability is unacceptable. Does OEM have a public utility POC that could help understand where Centurylink stands on this situation?

Thanks,
Eric

From: Kay Scheurer Steele <scheurersteele.kay@gmail.com>
Sent: Friday, January 28, 2022 7:52 PM
To: Eric Bush <bushe@grantcounty-or.gov>
Subject: Centurylink phones down in area without cell service.

Hello Mr. Bush,

I'm sorry that my first contact with you is in the context of bringing a problem to your attention. I do want to recognize your arrival to this position and to welcome you as our new Emergency Management Coordinator. It is my hope that as monitor of emergency response capabilities for the county, you may be able to help us to elevate the attention of Centurylink managers to make needed repairs and improvements to our area. There are two problems to address as they relate to emergency preparedness. One immediate, and one that has been ongoing for many years now in our northwest corner of the county. First of all, our landlines are currently dead. Secondly, but not necessarily related, the emergency backup batteries in the telephone posts along County Rd 15 are dead. I am providing for your consideration the content of my filing with the Oregon Public Utility Commission, asking them to look into the ongoing deterioration of phone services to our region.

Thank you for your attention and for any suggestions or help you can provide to improve emergency services in the Ritter area.

Sincerely,
Kay Steele
46822 Ritter Rd
Ritter, OR 97856

*"The current outage of phone service is from near Ritter, Oregon to the end of County Rd 15 at the North Fork of the John Day River. This includes at least 12 full-time residences/ranches stretching over a distance of 10 miles. It may be a larger affected area, but I have no way of checking without driving out from my home more than 10 miles. At least two people have driven to cell reception spots to report this outage. I have gone online and accessed Centurylink's website to make a request for repair. I was transferred to at least 3 different agents without getting their acknowledgement that an outage existed within their system. This is in spite of the fact that their website page posted "an outage is reported in your area." Two other neighbors have been dismissed and left without adequate information to satisfy them that immediate attention to the outage will happen in a timely way. They were told that the earliest a repairman would be dispatched is **February 7th**. This is not acceptable. This long delay represents a serious threat to the safety and health of this community.*

Without landline service, we are without the capability of making or receiving emergency calls. There is no cell tower serving this area, with only a couple spots along the county road where bounced signals can provide cell phone reception. Several residents of the area are seniors with health issues and need to be in communication with their doctors and healthcare providers. Last summer I was able to reach a dispatcher to report my husband's heart attack emergency. If this emergency happened now, I could not travel six miles to reach cell phone reception. The current outage this week occurred in the middle of medical consultations with his doctor to address immediate complications about my husband's health. I was able to reach a party at John Day via satellite-texting. She called our doctor on our behalf and explained we are not able to communicate further until our phone service is repaired. There are several elderly residents who live alone out here and whose safety deserves to be considered. Reliable Centurylink phone service is critical to the area.

The second concern is that Centurylink is not maintaining local landline equipment. It is very serious, and during wildfire season it may be more serious than the current phone service failure. Any time there is a lightning strike that causes a brief glitch in electrical power service, Centurylink phone transmitters close down phone service. This happens multiple times throughout the wildfire season. It requires a technician to drive hours to our area to simply flip a transmission switch. Several times in the past five years I have notified Centurylink that the emergency backup batteries within their ground posts along County Rd 15 are dead. It used to be that when there was a power failure there was a period of time

we could still make phone calls to the power company or to an ODF wildfire dispatch center. In one case, an electrical storm caused a power outage. Consequently, due to dead batteries, we were unable to call for emergency help to extinguish a fire spreading from a lightning-struck Ponderosa. We are a FireWise community. The outbreak of fires in our area, which happen several times a year, requires us to be "first responders" to manage lightning strikes until help can arrive. It also is critical that we can implement our "phone tree" to alert neighbors about imminent dangers of a fire spread. Our homes are a minimum of 1/2 mile apart and as much as 2 miles between ranch homes. Without reliable landline phone service, lives are at risk under wildfire conditions.

Please help us to communicate with Centurylink authorities who are virtually insulated from the public by a bank of unhelpful Chat agents. They are the broken link in a community attempting to maintain a chain of safety. Serious repercussions may occur if we cannot get these issues addressed immediately. They cannot afford to ignore upkeep of their services and equipment any longer.

*Thank you,
Kay Steele
46822 Ritter Rd
Ritter, OR 97856*

(541) 421-3912 (landline - may not be reachable due to phone service outage)"