BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Formal Complaint of Wyndee) Hansen dba Hole N' The Rock Inc. v. Frontier Communications

) Docket No. 15-041-02

) HEARING

March 17, 2016 9:00 a.m.

)

)

Location: Public Service Commission 160 East 300 couth, 4th Floor Salt Lake City, UT 84111 (801) 530-6769 Job Number: 295520 Reporter: Teri Hansen Cronenwett Certified Realtime Reporter, Registered Merit Reporter

APPEARANCES

For the C	omplainant:
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Wyndee Hansen

For Frontier Communications: George Baker Thomson, Jr. Associate General Counsel Frontier Communications 1800 41st St., N-100 Everett, WA 98203 george.thomson@ftr.com 425-261-5844 Page 2

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1	March 17, 2016 9:00 a.m.
2	PROCEEDINGS
3	JUDGE JOHNSON: For the record today is
4	Thursday, March 17th, 2016. It's nine o'clock in the
5	morning. This is the date and time set for the informal
6	hearing In the Matter of the Formal Complaint of Wyndee
7	Hansen, doing business as Hole N' The Rock Incorporated,
8	against Frontier Communications. This is Docket No.
9	15-041-02.
10	As I stated in the hearing notice, the purpose
11	of this hearing is to take evidence as to a reasonable
12	completion deadline that can then be reduced to an
13	order. So I think we should just get right to that, and
14	I think that Frontier is likely the party that has the
15	information that will be helpful.
16	So if it's all right, Ms. Hansen, usually the
17	complainant goes first. But I think I understand what
18	your complaint is, and I think that you don't probably
19	have a lot of information as to what would be a
20	reasonable deadline for completion.
21	MS. HANSEN: I don't at this point.
22	JUDGE JOHNSON: Okay. So I thought we'd maybe
23	just turn it to Frontier and see where we get.
24	MS. HANSEN: Thank you, your Honor. My name
25	is George Thompson. I am in-house counsel to Frontier.
1	

Page 4 1 With me today is Kirk Lee. He's our regulatory and 2 government affairs manager for, among other states, 3 Utah. 4 JUDGE JOHNSON: Okay. 5 MR. THOMSON: In response to your question, your Honor, I think that Frontier believes that the 6 7 pleading we filed on the 29th of February contains the 8 timeline with a completion date of mid April that we're comfortable with signing up for, and that we have had a 9 10 number of things going on, including fiber splicing, as 11 recently as last night. 12 JUDGE JOHNSON: Uh-huh. 13 MR. THOMSON: At the site. So we also have 14 the area general manager with us today and some of our 15 engineers, who can speak to details. But I think we're comfortable with the pleading we filed on the 29th and 16 17 the timeline we laid out therein. JUDGE JOHNSON: So you are proposing April 18 15th, basically one month? 19 20 MR. THOMSON: Yes, your Honor. 21 JUDGE JOHNSON: Not guite one month from 2.2 today. So I am confused, and I think the commission 23 shares my confusion, as to why this project has taken so long, particularly where in December you represented 24 25 January 31st as being a date certain for completion.

Page 5 1 And there appears to be some inconsistencies 2 in the record as to why you would make that 3 representation in December when apparently the project hadn't been approved for budget, nothing had been 4 5 ordered, and there have been complications with the things that you did order. Can you please speak to 6 7 that. 8 MR. THOMSON: Yes, your Honor. I think the -the longest pole in the tent, if you will, was the, the 9 cabinet. We found out that the cabinet had been a 10 manufacturer discontinued item when we ordered it, and 11 12 that was not clear in our procurement records or anywhere internally that the manufacturer had 13 14 discontinued the cabinet. 15 So it's my understanding that that was the primary holdup, that we had to order a number of --16 17 well, we tried to order the original cabinet. We got the information the cabinet was not available. It had 18 been manufacturer discontinued, and then we had to 19 20 redesign the project in order to accommodate the new cabinet that we ordered. 21 2.2 JUDGE JOHNSON: Well, let me rephrase my 23 question. My question is that previously you represented to the commission a date certain completion 24 25 deadline but apparently had not done what you needed to

Paqe 6 1 do in order to make good on that representation. My 2 question is, have you done what you need to do to finish 3 this project by April 15th? MR. THOMSON: Yes. 4 5 JUDGE JOHNSON: Or are we going to be back here in a month? 6 7 MR. THOMSON: No, your Honor, we're not going 8 to be back here in a month. And we have the equipment in hand, and as I said, we have been doing work as late 9 10 as yesterday to get the job in hand. We have all the 11 parts and all the equipment now and are proceeding with 12 the construction of the project. JUDGE JOHNSON: Okav. So between now and 13 14 then, we're going to have spring break, which I imagine 15 will involve quite a bit of tourism to the Moab area and quite a bit of business to Hole N' The Rock. 16 I need to be assured that Ms. Hansen can process her credit card 17 transactions between now and the date that you have 18 19 planned to complete this. 20 MR. THOMSON: It's my understanding, your Honor, that Ms. Hansen's lines are up and operating. 21 22 It's not a case of where we're going to have to 23 interrupt her service, other than outside of business hours, to do fiber splicing, which was done last night. 24 25 JUDGE JOHNSON: Uh-huh. Do you have service

Page 7 1 today? Do you know? 2 MS. HANSEN: I have service intermittently. 3 That's been the problem for the last three years. JUDGE JOHNSON: Uh-huh. 4 5 MS. HANSEN: There's been -- when these guys say anecdotal problem, static, blah, blah, blah. I have 6 service. But it's so -- it breaks up. Like, you will 7 8 run a credit card, and then it will drop the line, and 9 this was my PR nightmare. One week it happened every 10 day, and we had hundreds of cards that were doubly 11 captured in the merchant because the phones kept 12 clicking. There's static or -- you can't talk on the 13 14 phones. I have been cut off from phone calls, and then 15 it will work five minutes later. That's what I am dealing with over the last three years is just a static 16 17 inconsistence. JUDGE JOHNSON: Right. And I think that's the 18 commission's concern is that this seems to have been 19 20 going on for a long time. MS. HANSEN: Since 2013. 21 2.2 JUDGE JOHNSON: And while the cable might be the final solution --23 24 MS. HANSEN: Uh-huh. 25 JUDGE JOHNSON: -- Ms. Hansen needs reliable

Page 8 1 service consistently now. 2 MS. HANSEN: I believe in the informal, the previous two informal complaints, I submitted copies of 3 e-mails I kept in records from 2013, 2014. I have all 4 5 the names of the guys that promised me, you will be hooked up to fiber tomorrow, tomorrow. This is 2013, 6 7 '14. Why wasn't that cabinet ordered then? 8 But they came out, and in the pictures they put out a new box back in 2014, said this is going to 9 10 be -- that old box is going to go away. They ran a cable, jerry rigged a cable and sent pictures. It's 11 12 there. It's been sitting there since 2014, some cable going out at my south gate. 13 14 Kids can hang on it. But I never got hooked 15 up. But then I had stopped complaining and all that, and so they never completed the hookup in 2014 when they 16 17 told you they would in 2014. JUDGE JOHNSON: We have had many broken 18 promises, there's no question about that, here. My 19 20 question is, how is Frontier going to ensure that she has reliable service from this date forward? 21 2.2 MR. THOMSON: Your Honor, it's my 23 understanding that the cable that ran from Moab 24 previously had been a copper cable. That was an old 25 cable, perhaps 40 years old, and had issues. That cable

Page 9 1 has been replaced, to my understanding, with fiber at 2 this point. 3 MR. HEALEY: Correct. MR. THOMSON: And so the -- those issues 4 5 should be resolved, and the remaining work to be done is the work at Ms. Hansen's establishment. 6 7 MS. HANSEN: So why do I keep having -- why do 8 I keep having -- as of three days ago, I am on a very 9 important phone call and I get cut off. And it's like I 10 literally -- it's my accountant I call him back. He says, "Are you still having those phone problems, 11 12 Wyndee?" I mean, it's just like --13 JUDGE JOHNSON: So three days ago you were on 14 a call. 15 MS. HANSEN: On a call and it got dropped. JUDGE JOHNSON: So if that problem has been 16 17 resolved with the new cable, why are we still having service issues? 18 19 MR. THOMSON: I can't answer that, your Honor. 20 JUDGE JOHNSON: Is there anyone here who can? 21 VOICE: I mean, I have been in contact 2.2 with you several times. 23 COURT REPORTER: Tell me your name. 24 JUDGE JOHNSON: Just a moment. What's your 25 name?

1	Page 10 MS. HANSEN: Are you Mike?
2	MR. GILES: Mike Giles.
3	MS. HANSEN: Nice to meet you face-to-face.
4	You have been very helpful.
5	JUDGE JOHNSON: It's Mike Giles.
6	MR. GILES: Yes.
7	JUDGE JOHNSON: Is that right? Okay.
8	MR. GILES: I am the general manager for
9	Frontier, so I have been in contact with Wyndee. But
10	that's a question we haven't resolved yet. And I don't
11	know if the new equipment will take care of that.
12	It's a lot depends on like cut-off calls can
13	happen for lots of different reasons.
14	MS. HANSEN: Well, and it was my understanding
15	over the years from different people, not just you, but
16	other techs that told me that what has happened is,
17	yeah, they might have put that new copper line in. But
18	from my place all the way to Monticello it's still in
19	the ground. They have not taken it up.
20	And so we have a power outage. Just like the
21	other night when I put, on January 31st, and I couldn't
22	even call out. They have to go trace. The techs have
23	to go trace where it is between my place and Monticello,
24	something in the lines down below. It's not and that
25	was from the techs telling me this.
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1	Page 11 I do I know some of the techs there. It's
2	a small town personally, and they are just like they
3	get tired of my phone calls too. They see me in town,
4	and they turn the other way. I don't blame them. This
5	is like, Wyndee. You know, it's gotten to be a joke. I
6	don't know what the problem is. I just know there needs
7	to be a fix.
8	MR. GILES: There will be backup power put in
9	with this as well so that any of the power problems that
10	you have that shuts the lines down will be fixed as
11	well.
12	MS. HANSEN: Well, that would be great. You
13	know, I just want service. I know I pay my bill every
14	month. If I didn't, I wouldn't
15	JUDGE JOHNSON: You are entitled to service.
16	The rules and the statutes require that the company
17	provide reliable service as long as you are in their
18	service area. And I think the record is clear that you
19	have not had particularly reliable service for quite
20	some time, and the commission is concerned about that.
21	And while I as I said before, fiber might
22	be the ultimate fix, you are required to provide
23	reliable service at all times, and so I need to know if
24	you have a plan for that.
25	MR. THOMSON: Your Honor, to the best of our
1	

Page 12 1 knowledge, we believe that the project that's ongoing 2 right now will resolve some of these issues. Now, I 3 don't know what inside wiring or equipment Ms. Hansen has in her establishment. 4 5 So if the -- if this equipment is, for instance, a wireless phone unit that you can walk around 6 7 the house with, that has a base station in the kitchen 8 or wherever, intermittent power issues would affect that and would knock that call out. 9 10 JUDGE JOHNSON: So is that what you have --11 MS. HANSEN: No. 12 JUDGE JOHNSON: -- wireless phone? 13 MS. HANSEN: When our lines -- I have got 14 three gift shops and a residence and everything. They, 15 all the lines get -- when the power is out, it's out even to my neighbors. I got five houses behind me. The 16 rest area is out. Nobody out there can call during a 17 18 storm or nothing. 19 I mean, the rest area, I get people come in. 20 Because we are in a dead zone, absolutely no cell phone service. People come in a couple times a day. They are 21 22 broke up down -- down up the road or they will come in, "Do you have a land line? I can't -- " you know. Or can 23 24 we dial in onto your Internet? Because I have Internet 25 because of Hughes net.

Page 13 1 Well, of course I can't give them that because 2 I only get so many gigabytes, and I'm not going to share 3 it with the public. But I am just saying that I -- it's a dead zone. 4 5 JUDGE JOHNSON: For cell use. MS. HANSEN: For cell. Yeah. You can't --6 7 when I have an outage, I have to jump in the truck. I 8 have to go to the top of Blue Hill, a mile and a half 9 away, and call Frontier because I have no phones. 10 JUDGE JOHNSON: Okay. Are you satisfied with 11 an April 15th completion deadline, provided that the 12 company maintains your current service reliably in the interim? 13 14 MS. HANSEN: Okay. I am -- you know what? Ιf 15 I -- they have had so many deadlines. 16 JUDGE JOHNSON: I know. 17 MS. HANSEN: I'm sorry. JUDGE JOHNSON: But here is the difference 18 19 with this one. If the commission orders the company to 20 complete it by a certain time and the company fails to do so, they are in violation of the order, which means 21 22 the commission can impose per-day penalties for the 23 violation. 24 At this point, until we reduce a deadline to an order, the only remedy the commission can order is 25

1	Page 14 service credits to you. So that's why we are here
2	today. We are here to up the stakes and to put a
3	deadline into an order, and if the company misses this
4	deadline, they can be fined 500 to 2,000, I believe,
5	dollars per day for missing the deadline.
6	So that's why we are here. We are getting
7	serious, and the company has represented April 15th.
8	Are you comfortable with April 15th?
9	MS. HANSEN: Yep.
10	JUDGE JOHNSON: Okay. Then we will reduce
11	that to an order. It will go out today, and we should
12	get this resolved. Thank you all very much.
13	MR. THOMSON: Thank you, your Honor.
14	MS. HANSEN: Thank you.
15	
16	(The hearing concluded at 9:14 a.m.)
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1	Page 15 CERTIFICATE
2	STATE OF UTAH)
3	COUNTY OF SALT LAKE)
4	THIS IS TO CERTIFY that the foregoing proceedings
5	were taken before me, Teri Hansen Cronenwett, Certified
6	Realtime Reporter, Registered Merit Reporter and Notary
7	Public in and for the State of Utah.
8	That the proceedings were reported by me in
9	Stenotype, and thereafter transcribed by computer under
10	my supervision, and that a full, true, and correct
11	transcription is set forth in the foregoing pages,
12	numbered 3 through 14 inclusive.
13	I further certify that I am not of kin or otherwise
14	associated with any of the parties to said cause of
15	action, and that I am not interested in the event
16	thereof.
17	WITNESS MY HAND and official seal at Salt Lake
18	City, Utah, this 24th day of March, 2016.
19	T. II A. H
20	Teri Hansen Cronenwett
21	Teri Hansen Cronenwett, CRR, RMR License No. 91-109812-7801
22	My commission expires:
23	January 19, 2010
24	
25	

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