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# State of Utah

## Department of Commerce

### Division of Public Utilities

FRANCINE GIANI    CHRIS PARKER  
*Executive Director*    *Director, Division of Public Utilities*

## Action Request Response

**To:** Utah Public Service Commission

**From:** Utah Division of Public Utilities

Chris Parker, Director

Marialie Wright, Manager

Cynthia Dumas, Office Specialist

**Date:** February 1, 2019

**Re:** **Docket No. 18-049-12 - Formal Complaint of Arroyo de Plata, LLC dba  
Domino's Pizza Against CenturyLink**

## Recommendation (Dismiss Complaint)

### Issue

On October 15, 2018, Arroyo de Plata, LLC dba Domino's Pizza (Complainant) filed a formal complaint against CenturyLink (Company) for allegedly improperly porting its business phone number to Comcast. The Company responded with a Motion to Dismiss the formal complaint because Comcast wrongly ported the business phone number. The Company advised the Complainant it should seek redress from Comcast. On November 6, 2018, the Complainant filed an informal complaint with the Division of Public Utilities (Division) against Comcast. The Public Service Commission (Commission) requests information concerning how Comcast responded.

### Discussion

The Company responded to the formal complaint on November 14, 2018, and asked to have the complaint dismissed. In the conclusion the Company states, "CenturyLink has advised

its customer, ADP [Arroyo de Plata] that it should talk to Comcast about resolving its claim for lost revenue, and is encouraged that ADP [Arroyo de Plata] has now filed an informal complaint that will hopefully address its concerns.”

On November 6, 2018, the Division filed an informal complaint with Comcast based on the information the Complainant filed online. On November 21, 2018, John Moore, a Regulatory Specialist with Comcast, responded to the complaint with a letter written by Tina R., a Comcast Customer Relations Executive. In the first response<sup>1</sup> attached hereto as Exhibit A, Comcast states, “I explained to her that her concern is not a Comcast issue and to please refer this matter to Century Link. I informed Mei that Comcast is unable to pull a phone number if it is not released from the current provider. Therefore, the request for compensation for loss of business has respectfully been denied.” That same day the Division forwarded the response to the Complainant and the Company. No action was taken by the Complainant or the Company.

On December 5, 2018, Alicia Wade with Comcast called the Division asking if the Division would give Comcast another chance to respond to the complaint. The Division told Alicia Comcast would have five business days to provide a second response. The Division advised the Complainant and all parties involved that Comcast would be providing a second response.

The fifth business day for Comcast to respond was December 12, 2018, and that same day the Division sent a follow up email. Nicole Patel, a Comcast Operations Compliance Director, called the Division advising that Comcast was working on the second response and that the Division would receive it either that day or the following day.

On December 18, 2018, the Division received the second written response<sup>2</sup> attached hereto as Exhibit B, from Comcast. In the response Comcast states, “The Comcast agent who initiated the port mistyped the telephone number requested by the subscriber and accidentally entered the business’s similar telephone number. CenturyLink approved the port request, and the business’s telephone number was added to the Comcast subscriber’s account on July 7, 2018.

<sup>1</sup> See, first response from Comcast attached as Exhibit A.

<sup>2</sup> See, second response from Comcast attached as Exhibit B.

Comcast was notified of this error on July 9, 2018 and released the telephone number back to CenturyLink on July 10, 2018.”

## **Conclusion**

Per Comcast’s response, the Division recommends that the Commission dismiss the formal complaint against the Company. The Division understands that the Complainant’s business phone number was mistakenly typed and ported by a Comcast agent without approval or knowledge of the Complainant. If the Complainant seeks compensation for the loss of business due to Comcast’s alleged error, the Complainant may consider filing a claim with the Utah Small Claims Court.

Cc: Mei Xio, Arroyo de Plata, LLC

Torry R. Somers, CenturyLink Attorney

<sup>1</sup> See, first response from Comcast attached as Exhibit A.

<sup>2</sup> See, second response from Comcast attached as Exhibit B.