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# Chapter PSC 165

## STANDARDS FOR TELECOMMUNICATIONS SERVICE


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**History:** Chapter PSC 165 as it existed on October 31, 1968 was repealed and a new chapter PSC 165 was created effective November 1, 1968.

**PSC 165.01 General. (1)** Chapter PSC 165 of the public service commission's departmental rules is part of the Wisconsin Administrative Code and constitutes a general order of the public service commission, the issuance of which is authorized by ss. 196.02, 196.06, 196.10, 196.12, 196.15, 196.16, 196.17, 196.19, Stats.

**(2)** The rules making up ch. PSC 165 are designed to effectuate and implement ss. 196.02, 196.03, 196.06, 196.10, 196.12, 196.15, 196.16, 196.17, 196.19, 196.21, 196.22, 196.60, 196.62, 196.625, 196.72, Stats., and parts of other sections of the Wisconsin statutes.

**(3)** The requirements of ch. PSC 165 shall be observed by all telecommunications public utilities subject to the jurisdiction of the commission except insofar as an exemption may be made by the commission as hereinafter mentioned. Nothing herein shall preclude special and individual consideration being given to exceptional or unusual situations and upon due investigation of the facts and circumstances therein involved, the adoption of requirements as to individual utilities or services which shall be lesser, greater, other, or different than those provided in these rules and regulations.

**(4)** The manner of enforcing the rules in ch. PSC 165 is prescribed in s. 196.66, Stats., and such other means as provided in statutory sections administered by the public service commission.

**(5)** In case of emergency, where public interest requires immediate action without waiting for compliance with the specific terms of these rules, the rules shall not prevent immediate corrective action by the utility, which action, however, shall be subject to review by the public service commission.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.02 Definitions.** In this chapter:

**(1)** "Access line" means the wires, frequencies, time slots, or equivalent used to connect the customer−owned, leased or maintained telecommunications equipment at the customer's premises with a central office switching complex. As used herein, subscriber line and subscriber loop mean access line.

**(2)** "Average busy season" − busy hour traffic means the average traffic volume for the busy season, busy hour.

**(3)** "Base rate area" means the area within an exchange in which telecommunications services are provided without mileage or zone charges.

**(4)** "Busy hour" means the clock hour of the average day of the busy season during which the greatest volume of traffic is handled in the central office.

**(5)** "Busy season" means that period of the year during which the greatest volume of traffic is handled in the central office.

**(6)** "Calls" means telecommunications messages attempted.

**(7)** "Class of service" means the various categories of services generally available to customers, such as business or residence.

**(8)** "Central office" means a switching unit, in a telecommunications system which provides service to the general public, having the necessary equipment and operating arrangements for terminating and interconnecting subscriber lines and trunks or trunks only. There may be more than one central office in a building.

**(9)** "Commission" has the meaning set forth in s. 196.01, Stats.

**(10)** "Customer or subscriber" means any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., provided with telecommunications service by any telecommunications utility.

**(11)** "Customer trouble report" means any oral or written report from a subscriber or user of telecommunications service relating to a physical defect or to difficulty or dissatisfaction with the operation of telecommunications facilities.

**(12)** "Exchange" means a unit established by a telecommunications utility for the administration of telecommunications service in a specified area which usually embraces a city, town, or village and its environs. It consists of one or more central offices, remote switching units, or pair gain devices or both together with associated plant used in furnishing telecommunications service in that area.

**(13)** "Grade of service" means:

(a) The type of service furnished with respect to the number of customers receiving telecommunications services from an indi-

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vidual central office access line office line. (1−party, 2−party, and 4−party).

(b) A measurement of the busy hour traffic capacity of a trunk group stated in terms of the ratio of the number of calls encountering an all−trunk−busy condition to the total number of calls presented to the group during the busy hour. (e.g., A grade of service of P=.03 means that 3% of the busy hour calls presented to the group encountered an all−trunk−busy condition.)

**(14)** "Held application" means a firm but unfilled application for new service or different class or grade of service which is not filled within 30 days.

**(15)** "Line fill" means the number of customers served on an access line such as 1−party, 2−party, or 4−party.

**(16)** "Message" means a completed telecommunications call.

**(17)** "Network interface device (n.i.d.)" means a device that provides a discernible point of demarcation and interconnection between customer−provided facilities and the telecommunications utility network.

**(18)** "Outside plant" means the telecommunications equipment and facilities installed on, along, over, or under streets, alleys, highways, or on private rights−of−ways between the central office and customer locations or between central offices.

**(19)** "Regrade" means an application for a different, usually better, grade of service.

**(20)** "Service line" means those facilities owned and maintained by a customer or group of customers that constitute a public utility whose lines are connected with the facilities of another telecommunications utility for telecommunications service. Service line is also sometimes referred to as "SWITCHED LINE," or roadway company, or farmer line.

**(21)** "Telecommunications service" has the meaning set forth in s. 196.01, Stats.

**(22)** "Telecommunications utility" has the meaning set forth in s. 196.01, Stats.

**(23)** "Toll connecting trunks" means a general classification of trunks carrying toll traffic and ordinarily extending between a local office and a toll office.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. (intro.), (13) to (16), r. (12), (20), (21) and (25), renum. (1) to (11), (17) to (19), (22) to (24) to be (2) to (12), (18) to (23) and am., cr. (1) and (17), Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.031 Retention of records.** All records required by these rules shall be preserved for the period of time specified by the public service commission.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68.

**PSC 165.032 Schedules to be filed with the commission.** The provisions of the schedules of rates and rules filed with the commission and comprising the filed tariff of the utility shall be definite and so worded as to minimize ambiguity or the possibility of misinterpretation, and shall include, together with such other information as may be deemed pertinent, the following:

**(1)** A list of the exchanges and a tabulation of the rates and charges for local exchange service at those exchanges.

**(2)** A map of each exchange showing the various rate areas. (Base rate, locality, zone and rural areas.)

**(3)** A tabulation of the extended−area service furnished.

**(4)** Definitions of classes of service.

**(5)** Rules for extending service to new customers indicating what portion of the line extension or the cost thereof will be furnished by the utility.

**(6)** Rules governing the establishment or re−establishment of service including credit requirements. (See s. PSC 165.052.)

**(7)** Rules governing the procedure followed in disconnecting and reconnecting service. (See s. PSC 165.051.)

**(8)** Rules governing foreign exchange service (where offered) and other service offerings together with the corresponding rates and charges.

**(9)** Rules governing the billing procedures and payment requirements. (A sample bill form should be submitted.)

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68.

**PSC 165.033 Exchange area boundaries.** Each telecommunications utility shall file exchange area boundary maps in compliance with ch. PSC 166.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.034 Utility accidents and interruptions.** Each telecommunications utility shall observe the requirements of ch. PSC 104, with respect to recording and reporting utility accidents and interruptions.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.04 Meter reading records.** When meters are used in connection with telephone service the meter reading records from which the customers' bills are prepared shall show:

**(1)** Identifying number or means to determine readily the customer's name, address, and service classification.

**(2)** Meter readings.

**(3)** Date of meter reading.

**(4)** Multiplier or constant, if used.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68.

**PSC 165.041 Meter reading interval.** As nearly as practicable meters shall be read at intervals to correspond to customer billing periods.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68.

**PSC 165.042 Billing recording equipment.** Where mechanical and/or electronic means are used for recording information that will affect a customer's bill for local and/or toll service, such equipment shall be inspected when assigned and periodically on a sampling basis to see that it is functioning properly and accurately. The utilities shall keep records of malfunctions. The retention period for such records shall be 2 years.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68.

**PSC 165.043 Information available to customers.** **(1)** There shall be kept on file in every business office of the utility where customer payments are received copies of the rate schedules applicable in such locality. Copies of these rules and such rules of the utility as are applicable shall be kept on file in every general and local office of the utility. Reasonable notice shall be given customers as to where the foregoing information is available to them.

**(2)** Each telecommunications utility, for every exchange in which it serves, shall provide in the respective telephone directories a telephone listing for repair service by which the utility can be notified at no charge during a 24−hour day of any utility service deficiency or emergency which may exist.

**(3)** Where a second language is common in a particular area served by the utility and so identified by the commission, all rules pertaining to billing and credit shall be available upon customer request, for distribution in English and that second language in every business office of the utility in that area accessible to the public and where customer payments are received.

**(4)** All applicants, upon applying for new telecommunications service, shall as a minimum, be informed by the utility as herein described:

(a) Customers shall be informed of all nonrecurring charges applicable to services ordered.

(b) Applicants shall be informed of the basic exchange services that are available and given a description of the general service types. The telecommunications utility shall inform the cus-

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tomer of the range of monthly rates which applies to these services and, if either the high−rated or low−rated service is a measured service, of the call allowance and charge for additional usage associated with such service. The monthly rates which are quoted for basic services shall be without inclusion of rates for any additional, optional service features.

(c) Applicants shall be informed of the availability of customer premises equipment under the following conditions:

1. The utilities shall make a general statement that customer premises equipment is available from a number of competitive providers and need not be obtained from the utility.

2. The utility may provide information about customer premises equipment which it offers.

(d) Applicants shall be informed by the utility providing local exchange service of the names, addresses and telephone numbers of carriers from which they can purchase toll service, provided such carriers have provided the information to the utility. This information shall also be provided to existing customers upon request.

(e) Information described in pars. (a) to (d) shall be provided in writing when written telecommunications service applications are used or when requested by customers in other, nonwritten, requests for telecommunications service.

(f) Rate information for additional services offered by the utility shall be available upon request.

**(5)** No residential customer shall be provided with any service feature in addition to the basic monthly service requested, without first having been informed of the additional rates and charges for such service features.

**History:** Cr. Register, November, 1975, No. 239, eff. 12−1−75; cr. (4) and (5), Register, March 1978, No. 267, eff. 4−1−78; emerg. am. (4) (intro.), r. and recr. (4) (c) and (d), cr. (4) (e) and (f), eff. 1−1−84; am. (4) (intro.), renum. (4) (c) and (d) to be (4) (e) and (f) and am., cr. (4) (c) and (d), Register, August, 1984, No. 344, eff. 9−1−84; am. (2) and (4), Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.05 Customer billing. (1)** Bills to customers shall be rendered regularly and shall contain a clear listing of charges. No late payment charge shall be made. Utilities shall comply with reasonable customer requests for an itemized statement of charges. For purposes of long distance billings, the following, at a minimum, shall be considered a clear listing of charges:

(a) The type of long distance call. This information will specify whether the call is operator−assisted, direct−dialed, third−number billed, credit card, collect, or any other type.

(b) The class of long distance call. This information will specify whether the call is person−to−person or station−to−station.

(c) All long distance call bills will include the following information.

1. The exchange to which the call was placed.

2. The exchange from which the call originated for credit card, enterprise, third number, and collect calls only.

3. The telephone number that was called.

4. The duration of the call in billable minutes.

5. The dollar amount of the call.

6. The month and date on which the call was placed.

7. The time of day at which the call was placed.

8. The name of the carrier over which the call was placed.

(d) Credit card calls will be listed separately and a separate subtotal of the billed amount, including taxes, will be included on the customer portion of the long distance telephone bill.

**(2)** In the event the customer's service is interrupted otherwise than by the negligence or willful act of the customer and it remains out of order for a substantial period of time after being reported or found to be out of order, appropriate adjustments or refunds shall be made to the customer. The refund to the customer shall be the pro rata part of the month's charge for the period of days that the portion of the service and facilities are rendered useless or inoperative. The refund may be accomplished by a credit on a subsequent bill for telecommunications service.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; r. (2), renum. (3) to be (2), Register, November, 1975, No. 239, eff. 12−1−75; am. (1), Register, August, 1976, No. 248, eff. 9−1−76; am. (1), Register, December, 1979, No. 288, eff. 1−1−80; emerg. cr. (1) (c) 8., eff. 1−1−84; cr. (1) (c) 8., Register, August, 1984, No. 344, eff. 9−1−84; am. (1) (a), (b), (c) (intro.) and 6., (2), Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.051 Deposits. (1)** NEW RESIDENTIAL SERVICE. A utility shall not require a cash deposit or other guarantee as a condition of new service unless a customer:

(a) Has an outstanding account balance with any Wisconsin telecommunications utility which accrued within the last 6 years, and at the time of the request for service remains outstanding and not in dispute, or

(b) Is attempting to receive service with intent not to pay for the same. Such intent may be inferred from all the circumstances surrounding the application, or

(c) Will clearly be unable to pay for service rendered at the time such payment is due.

**(2)** EXISTING RESIDENTIAL SERVICE. A utility shall not require a cash deposit or other guarantee as a condition of continued service unless either or both of the following circumstances apply.

(a) The service of the customer has been disconnected by the utility once within the last 12−month period for nonpayment of a delinquent service account not currently in dispute.

(b) Subsequent credit information indicates that the initial application for service was falsified or incomplete to the extent that a deposit would be required under this section of the code.

**(3)** BUSINESS SERVICE. (a) If the credit of an applicant for service has not been established satisfactorily to the utility, the applicant may be required to provide a deposit or guarantee.

(b) The deposit shall be refunded after 24 consecutive months if the customer's credit standing is satisfactory to the utility.

**(4)** CONDITIONS OF DEPOSIT. (a) If the utility bills local and toll service and settles local and toll service disputes, the maximum deposit for a new account shall not exceed the bill for one month's exchange service, plus estimated toll charges for 2 months. Deposits for existing accounts may not exceed the bill for one month's local exchange service, plus the highest actual toll charges for 2 consecutive months within the preceding 12 months.

(b) If the utility bills toll service only, the maximum deposit for a new account may not exceed the bill for 2 month's estimated toll charges. Deposits for existing accounts may not exceed the highest actual toll charges for 2 consecutive months within the preceding 12 months.

(c) For all other utility billing arrangements, the maximum deposit for new or existing accounts may be one month's local service.

**(5)** INTEREST. (a) Deposits shall bear interest payable from the date a deposit is made to the date it is applied to an account balance or is refunded.

(b) The interest rate to be paid shall be subject to change annually on a calendar year basis. The commission shall determine the rate of interest to be paid on deposits held during the following calendar year and notify utilities of that rate by December 15 of each year. The rate shall be equal to the weekly average yield of one−year United States treasury securities, adjusted for constant maturity, for the week ending on or after December 1, as made available by the federal reserve board, rounded to the nearest tenth of one percent.

(c) The rate of interest set by the commission shall be payable on all deposits. Utilities shall calculate the interest earned on each deposit at the time of refund and at the end of each calendar year. The interest rate in a calendar year shall apply to the amount of the deposit, and to all interest accrued during the previous year(s), for the fraction of the calendar year that the deposit was held by the utility.

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**(6)** ARREARAGES. An arrearage owed by a customer may be deducted from the customer's deposit under the following conditions:

(a) A deposit may be used by the utility to satisfy an arrearage occurring after the deposit was made.

(b) If the utility deducts an arrearage from a customer deposit, it may require the customer to bring the deposit up to its original amount. Failure of the customer to do so within 20 days of mailing a written request for payment is ground for disconnection.

(c) When a deposit is refunded to the customer, the utility may first deduct any arrearage owed by the customer, whether the arrearage arose prior to or after the date of the deposit.

**(7)** REVIEW OF PAYMENT RECORD. The utility shall review the payment record of each residential utility customer with a deposit on file at 12−month intervals. The utility shall not require or continue to require a cash deposit unless a deposit is required under the provisions of sub. (2).

**(8)** REFUND OF DEPOSIT. Any deposit or portion thereof refunded to a customer shall be refunded by check unless both the customer and the utility agree to a credit on the regular billing, or unless sub. (6) applies.

**(9)** ACCRUED INTEREST. Upon termination of service, the deposit, with accrued interest shall be credited to the final bill and the balance shall be returned promptly to the customer.

**(10)** FAILURE TO PAY. Service may be refused or disconnected for failure to pay a deposit request subject to the rules pertaining to disconnection and refusal of service.

**(11)** GUARANTEE TERMS AND CONDITIONS. (a) The utility may accept, in lieu of a cash deposit, a contract signed by a guarantor satisfactory to the utility whereby payment of a specified sum not exceeding the cash deposit requirement is guaranteed. The term of such contract shall be for no longer than 2 years, but shall automatically terminate after the customer has closed the account with the utility, or at the guarantor's request upon 30 days' written notice to the utility.

(b) Upon termination of a guarantee contract or whenever the utility deems same insufficient as to amount or surety, a cash deposit or a new or additional guarantee may be required upon reasonable written notice to the customer. The service of any customer who fails to comply with these requirements may be disconnected upon 5 days' written notice.

(c) The guarantor shall receive copies of all disconnect notices sent to the customer whose account he or she has guaranteed if the guarantor requests such notice. The notice option shall be a part of the guarantee contract.

**(12)** DEFERRED PAYMENT AGREEMENT. In lieu of cash deposit or guarantee, an applicant for new service who has an outstanding account accrued within the last 6 years with the same utility shall have the right to receive service from that utility under a deferred payment agreement as defined in s. PSC 165.0525 for the outstanding account.

**(13)** EXPLANATION OF REQUIREMENT. A utility shall not require any customer to pay a deposit or guarantee in lieu of deposit without explaining, in writing if requested, why that deposit is required.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; r. and recr. Register, November, 1975, No. 239, eff. 12−1−75; emerg; r. and recr. (4), eff. 1−1−84; r. and recr. (4), Register, August, 1984, No. 344, eff. 9−1−84; renum. (6) to (12) to be (7) to (13), cr. (6), Register, April, 1985, No. 352, eff. 5−1−85; r. and recr. (5), Register, June, 1989, No. 402, eff. 7−1−89; am. (1) (a) and (8), Register, December, 1991, No. 432, eff. 1−1−92; correction in (3) (a), (11) (a) and (c) made under s. 13.93 (2m) (b) 5., Stats., Register, September, 1997, No. 501.

### PSC 165.052 Disconnection and refusal of service.

**(1)** GENERAL RULES. (a) A telecommunications utility service bill for purposes of these rules concerning disconnection and refusal of service is considered a delinquent account one day after issuance.

(b) At least 5 calendar days prior to any disconnection, the utility shall give written notice upon an approved form which conforms to the requirements of sub. (6) unless excepted elsewhere.

(c) When a customer, either directly or through the public service commission, disputes a disconnection notice, the utility shall investigate any disputed issue and shall attempt to resolve that issue by negotiation. During this investigation and negotiation, utility service shall not be disconnected over this matter.

(d) If a disputed issue cannot be resolved pursuant to s. PSC 165.0535 (1), the utility shall inform the customer of the right to contact the public service commission.

**(2)** REASONS FOR DISCONNECTION. Utility service may be disconnected or refused for any of the following reasons:

(a) Failure to comply with the terms of a deferred payment agreement or failure to pay a delinquent account, provided the total amount owed for service used exceeds one month's local service charges.

(b) Violation of the utility's rules pertaining to the use of service in a manner which interferes with the service of others or to the operation of nonstandard equipment, if the customer has first been notified and provided with reasonable opportunity to remedy the situation.

(c) Failure to comply with deposit or guarantee arrangements as specified in s. PSC 165.051.

(d) Where subsequent credit information indicates that the initial application for service was falsified to the extent that a deposit or guarantee would be required or service refused under the applicable sections of these rules.

(e) Failure to pay a delinquent toll account billed by the utility providing local exchange service, provided the utility is authorized by the toll carrier to resolve customer disputes. Commencing June 1, 1987, no provider of local exchange service shall disconnect local service for nonpayment of another carrier's toll bill unless either the toll carrier or the local exchange provider can demonstrate to the commission significant hardship to the detriment of ratepayers.

**(3)** EMERGENCY DISCONNECTIONS. A public utility may disconnect utility service without notice where a dangerous or emergency condition exists for as long as the condition exists.

**(4)** PROHIBITIONS AGAINST DISCONNECTION. Utility service may not be disconnected or refused for any of the following reasons:

(a) Nonpayment of a delinquent account over 6 months old where collection efforts have not been made within that period of time unless the passage of additional time results from other provisions herein or from good faith negotiations or arrangements made with the customer.

(b) Delinquency in payment for service by a previous occupant of the premises to be served other than a member of the same household residing at the same premises.

(c) Failure to pay for directory advertising or charges for non−utility service billed by the utility.

(d) Failure to pay for a different type or class of utility service.

(e) Failure to pay the account of another customer as guarantor thereof.

(f) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to any misapplication of rates.

(g) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to inaccurate metering.

**(5)** NOTIFICATION OF HEALTH AND FAMILY SERVICES DEPARTMENT. A utility shall not disconnect any residential service without notifying the county department of health and social services at least 5 calendar days prior to the scheduled disconnection if the customer or responsible person has made a written request for this

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procedure to the utility. The customer shall be informed of this right upon application for service. The utility shall provide its customers with notice of this right in all telephone directories.

**(6)** NOTICE OF DISCONNECTION OF SERVICE. (a) A utility shall not disconnect service unless written notice by first class mail is sent to the customer or personally served at least 5 calendar days prior to the proposed disconnection. Service must be disconnected within 15 days of the date the notice is mailed unless the customer and the utility agree to extend this time period. If the 15−day period lapses due to the customer's pursuance of the dispute procedures herein described, the utility shall provide further 5−day written notice prior to disconnection.

(b) The utility shall make a reasonable effort to have a personal or telephone contact with the customer prior to disconnection.

(c) Notice of disconnection for nonpayment shall be given upon a form approved by the commission, and shall contain the following information:

1. The name and billing address of the customer.

2. A statement of the reason(s) for the proposed disconnection of service and that disconnection will occur if the account is not paid, or if arrangement is not made to pay the account under deferred agreement, or if other suitable arrangements are not made.

3. A statement that the customer should communicate immediately upon receipt of the notice with the utility's designated office if the customer disputes the notice of delinquent account, if the customer wishes to negotiate reasonable payment arrangements or a deferred payment agreement as an alternative to disconnection, if any resident is seriously ill or if there are other extenuating circumstances.

4. A statement that the customer may appeal to the public service commission staff in the event that the grounds for the proposed disconnection remains in dispute after the customer has pursued the remedies available with the utility.

5. If disconnection of service is to be made for default on a deferred payment agreement, the notice shall include an explanation of the acts of the customer which are considered to constitute default.

**(7)** DISCONNECTION PROHIBITED ON CERTAIN DAYS. Service shall not be disconnected on a day, or on a day immediately preceding a day, when the business offices of the utility are not available to the public for the purpose of transacting all business matters unless the utility provides personnel which are readily available to the customer 24 hours per day to evaluate, negotiate or otherwise consider the customer's objection to the disconnection as provided under s. PSC 165.0535, and proper service personnel are readily available to restore service 24 hours per day.

**(8)** Notwithstanding any other provision of this chapter, utility service may not be refused because of a delinquent account if the customer or applicant provides as a condition of future service a deposit or guarantee as governed by s. PSC 165.051, or a voucher agreement.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; r. and recr. November, 1975, No. 239, eff. 12−1−75; emerg. cr. (8), eff. 12−17−81; cr. (8), Register, September, 1983, No. 333, eff. 10−1−83; emerg; cr. (2) (e), eff. 1−1−84; cr. (2) (e), Register, August, 1984, No. 344, eff. 9−1−84; am. (2) (e), Register, June, 1985, No. 354, eff. 7−1−85; am. (1) (a) and (d) and (7), Register, December, 1991, no. 432, eff. 1−1−92; corrections in (6) (c) 3., made under s. 13.93 (2m) (b) 5., Stats., Register, September, 1997, No. 501.

**PSC 165.0525 Deferred payment agreement.** The utility is required to offer deferred payment agreements only to residential accounts.

**(1)** Every deferred payment agreement entered into due to the customer's inability to pay the outstanding bill in full shall provide that service will not be discontinued if the customer pays a reasonable amount of the outstanding bill and agrees to pay a reasonable portion of the remaining outstanding balance in installments until the bill is paid.

**(2)** For purposes of determining reasonableness under these rules the parties shall consider the:

(a) Size of the delinquent account.

(b) Customer's ability to pay.

(c) Customer's payment history.

(d) Time that the debt has been outstanding.

(e) Reasons why debt has been outstanding.

(f) Any other relevant factors concerning the circumstances of the customer.

**(3)** A deferred payment agreement offered by a utility shall state immediately preceding the space provided for the customer's signature and in bold face print at least 2 sizes larger than any other uses thereon, that "IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. IF YOU DO SIGN THIS AGREEMENT YOU GIVE UP YOUR RIGHT TO DISPUTE THE AMOUNT DUE UNDER THE AGREEMENT EXCEPT FOR THE UTILITY'S FAILURE OR REFUSAL TO FOLLOW THE TERMS OF THIS AGREEMENT."

**(4)** A deferred payment agreement shall not include a finance charge.

**(5)** If an applicant for utility service has not fulfilled terms of a deferred payment agreement, the utility shall have the right to disconnect pursuant to disconnection of service rules (s. PSC 165.052) and under such circumstances, it shall not be required to offer subsequent negotiation of a deferred payment agreement prior to disconnection.

**(6)** Any payment made by a customer in compliance with a deferred payment agreement or otherwise shall first be considered made in payment of the previous account balance with any remainder credited to the current bill.

**History:** Cr. Register, November, 1975, No. 239, eff. 12−1−75.

**PSC 165.053 Customer complaints. (1)** Each telecommunications utility shall make a full and prompt investigation of all types of complaints made by its customers, either directly to it or through the commission. A record shall be kept of all pertinent facts related to the complaint.

**(2)** If the use of service interferes unreasonably with the necessary service of other customers a customer may be required to take service in sufficient quantity or of a different class or grade.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. (1), Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.0535 Dispute procedures. (1)** Whenever the customer disputes the utility's request for a deposit or other guarantee, or advises the utility's designated office prior to the disconnection of service that all or any part of any billing as rendered is in dispute, or that any matter related to the disconnection or refusal of service is in dispute, the utility shall:

(a) Investigate the dispute promptly and completely.

(b) Advise the customer of the results of the investigation.

(c) Attempt to resolve the dispute.

(d) Provide the opportunity for the customer to make reasonable payment arrangements or enter into a deferred payment agreement when applicable in order to settle the dispute.

**(2)** After the customer has pursued the remedies available with the utility, the customer may request that the public service commission staff informally review the disputed issue and recommend terms of settlement.

(a) A request for informal review may be made in any reasonable manner such as by written notice or telephone request directed to the public service commission. By telephone or written notice the public service commission staff may request the utility to investigate the dispute.

(b) There must be at least 5 days between the date the commission staff telephones or mails written notice of terms of settlement after informal review, and any subsequent disconnection.

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**(3)** Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within 5 days of the date the commission staff telephones or mails written notice of terms of settlement after informal review. If written confirmation of the staff telephone notice is requested and mailed, the 5 day period begins from the date of that mailing.

(a) Within 10 days from the time such a request is made, the commission shall decide on the basis of the information it has received from the staff whether to hold hearing on the matter and shall inform both parties of its decision.

(b) If the commission decides to conduct formal hearing on the dispute, the customer shall be required to pay 50% of the bill or deposit in dispute to the utility or post bond for that amount on or before date of hearing. Such payment good cause shown. Failure to pay the specified amount before hearing will constitute waiver by the customer.

(c) Such a hearing shall conform to the procedures described in ss. 196.26 to 196.34, Stats.

(d) Any such hearing shall be held not less than 10 days following a notice and a decision thereon shall be rendered following the conclusion of the hearing.

**(4)** In disputes involving complaints or facts which are essentially the same as or similar to those involved in previous disputes handled through these procedures, the utility may require the customer to post a 100% surety bond or to deposit the total disputed amount.

**(5)** Utility service shall not be disconnected or refused because of any disputed matter while the disputed matter is being pursued in accordance with the provisions of this section. In no way does this relieve the customer from obligation of paying charges which are not disputed.

**History:** Cr. Register, November, 1975, No. 239, eff. 12–1–75; emerg. am. (2) (a) and (3) (intro.), r. (2) (b), renum. (2) (c) to be (2) (b) and am., eff. 12–17–81; am. (2) (a) and (3) (intro.), r. (2) (b), renum. (2) (c) to be (2) (b) and am., Register, July, 1982, No. 319, eff. 8–1–82; correction in (2) (intro.) made under s. 13.93 (2m) (b) 5., Stats., Register, September, 1997, No. 501.

**PSC 165.054 Held applications.** Each telecommunications utility shall keep a record of held applications by exchanges showing the name and address of each applicant for service, the date of application, date service desired, the class and grade of service applied for, together with the reason for the inability to provide the new service or higher grade of service to the applicant. Utilities shall furnish reports to the commission upon request, by exchange or district, showing held applications, by monthly age groupings.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.055 Directories. (1)** Exchange alphabetical telephone directories shall be made available to customers without charge for each local switched access line service. The listings of customers in foreign exchanges to which extended–area service is provided shall also be made available without charge to all local customers. Where such listings are not actually furnished all customers, the utility shall state in the directory how such listings may be obtained. Inclusion of all listings for the calling area within a single volume is recommended.

**(2)** Directories shall be revised at least annually. Exemptions from this requirement may be allowed in special cases, such as a dial conversion directory, when changed listings and new listings are not sufficient in number to cause serious inconvenience. A shorter directory interval may be necessary where the number of changed listings and new listings is abnormally large.

**(3)** The name of the utility, exchange covered by the directory, month and year issued, and the area code shall appear prominently on the front cover. If the directory serves more than one exchange, such exchanges shall be listed on the cover, or, for metropolitan areas, in the information pages in front of the directory.

**(4)** Each directory shall contain the warning to party–line subscribers as required by s. 941.35, Stats., a warning that placing nuisance calls is prohibited by law (s. 947.01, Stats.), a list of common governmental emergency numbers, a list of extended–area service points, and the repair service number, all prominently shown, and pertinent instructions concerning the use of local, extended–area, and toll service. The emergency numbers shall appear either on the inner or outer face of the front cover.

**(5)** A copy of each new directory shall be filed with the public service commission.

**(6)** Each directory distributed to customers in exchanges with single–party revertive calling capability shall include instructions as to the use of that revertive calling capability. Directories covering numerous exchanges or wire centers with different dialing instructions for use of single–party revertive calling capability, may direct customers to call the utility for such instructions in lieu of including the instructions.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; cr. (6), Register, February, 1990, No. 410, eff. 3–1–90; am. (1) and (3), Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.06 Construction.** Construction of telecommunications plant shall be subject to the provisions of the current Wisconsin state electrical code and ch. PSC 162. The equipment, materials and supplies used for the construction of telecommunications plant will be those designed for the purpose.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.061 Maintenance of plant and equipment. (1)** Each telecommunications utility shall adopt and pursue a maintenance program aimed at achieving efficient operation of its system so as to permit the rendering of safe, adequate, and continuous service at all times.

**(2)** Maintenance shall include keeping all plant and equipment in a good state of repair consistent with safety and adequate service performance. Broken, damaged, or deteriorated parts which are no longer serviceable shall be repaired or replaced. Adjustable apparatus and equipment shall be readjusted as necessary when found by preventive routines or fault location tests to be in unsatisfactory operating condition. Electrical faults, such as leakage or poor insulation, noise induction, crosstalk, or poor transmission characteristics, shall be corrected to the extent practicable within the design capability of the plant affected.

**(3)** The maintenance program shall also include definite procedures designed to keep the central office equipment rooms clean, and the humidity at a satisfactory level. These rooms should not ordinarily be used for storage of general supplies nor for a general workshop.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.062 Line fills. (1)** No utility shall connect more customers on any line than are contemplated under the grade of service charged the customer on such line.

**(2)** On lines where multi–party service is provided no more than 4 customers shall be connected to any one circuit, unless approved by the commission.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. (1) and (2) (intro.), r. (2) (a) to (d), Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.063 Central office equipment.** Telecommunications utilities providing new dial central offices shall provide as a minimum:

**(1)** Full selective ringing on all 2–party and 4–party lines.

**(2)** Adequate intercept to cover changed numbers, vacant numbers and vacant levels.

**(3)** Subscriber line busy verification limited to operator and maintenance personnel access in order to insure secrecy of communications.

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**(4)** Metering or recording of trunk group data to measure peg count (PC) and overflow (OF) or peg count (PC) and all trunks busy (ATB), or to measure usage.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. (intro.), (1) (intro.) and (4), r. (1) (a) and (b) and (5) to (7), Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.064 Interconnection service standards.** Effective with the adoption of these rules, telecommunications utilities shall not provide interconnection service which does not meet the technical criteria of these rules or orders of the commission.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.065 Emergency operation. (1)** Each telecommunications utility shall make reasonable provision to meet emergencies resulting from national security requirements, failures of lighting or power service, sudden and prolonged increases in traffic, illness of personnel, or from fire, storm, or similar emergencies, and each telecommunications utility shall inform employes as to procedures to be followed in the event of emergency in order to prevent or mitigate interruption or impairment of telecommunications service.

**(2)** It is essential that all central offices and remote switching units have reasonably adequate provision for emergency power. For offices or remote switching units without installed emergency power facilities, there shall be a mobile power unit available which can be delivered on reasonably short notice, and which can be readily connected.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.066 Protection of utility facilities.** A public utility upon receipt of written notice as required by s. 66.0831, Stats., from the property owner or from a contractor of work which may affect its facilities used for serving the public:

**(1)** Shall investigate and decide what action, if any, must reasonably be taken to protect or alter utility facilities, in order to protect service to the public and to avoid unnecessary damage, such as identifying in a suitable manner the location of any underground utility facilities which may be affected by the work.

**(2)** The utility shall take such action as is reasonably and legally necessary to protect, remove, alter, or reconstruct its facilities, and shall perform such work with reasonable dispatch taking into account the conditions to be met, provided that nothing in this rule shall be deemed to affect any right which the utility may have to require advance payment or adequate assurance of payment of the reasonable cost thereof to the utility by the property owner or contractor.

**(3)** The utility may, in order to protect its interest, require that the owner or contractor perform certain work upon that part of the service piping or wiring on or being removed from the property on which the excavating, building, or wrecking operations are being performed.

**(4)** This rule is not intended to affect the responsibility of the contractor or owner, or the liability or legal rights of any party.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; **correction in (intro.) made under s. 13.93 (2m) (b) 7., Stats**.

**PSC 165.067 Interference with public service structures. (1)** No utility having any work upon, over, along, or under any public street or highway or upon, over, along, or under any private property shall interfere with, destroy, or disturb the structures of any other public service corporation or railroad encountered in the performance of such work so as to interrupt, impair, or affect the public service for which such structures may be used, without first reaching an agreement concerning the location and the nature of the proposed work.

**(2)** A utility shall exercise care when working in close proximity of existing facilities. When the facilities are underground and are to be exposed or possibly may be exposed, hand–digging shall be employed. In these cases, such support as may be reasonably necessary for protection of the facilities shall be provided in and near the construction area. When backfilling an excavation such procedures and materials will be employed to provide reliable support for existing underground facilities in and near the construction area.

**(3)** A utility shall, in the absence of working arrangements, give at least 3 days' written notice (not counting Saturdays, Sundays, and legal holidays) to all utilities or railroads and to those who may have facilities in and near the construction area which may be affected by the proposed work. The utility proposing to work shall obtain from the affected party the location of the existing facilities determined to be affected or to be in and near the construction area

**(4)** A utility upon receiving a notice of proposed construction shall furnish in 3 days detailed information relative to location and type of facilities that are present in the proposed construction area. In those cases where the facilities are underground, they shall be marked physically in the field relative to location.

**(5)** Nothing in the above shall prevent a utility from proceeding as quickly as possible with any emergency construction work which might interfere with existing facilities. However, all reasonable precautions shall be taken to avoid or minimize damage or interference to the other facilities and notification shall be given as soon as possible to the utilities which have facilities in the construction area.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68.

**PSC 165.07 Provision for testing.** Each telecommunications utility shall provide or have access to test facilities which will enable it to determine the operating and transmission capabilities of circuit and switching equipment, either for routine maintenance or for fault location.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.071 Meter and recording equipment test facilities. (1)** Each utility furnishing telecommunications service, where local exchange billing is based on the number and/or duration of messages, shall provide the necessary facilities, instruments, and equipment for testing its metering and recording equipment. Any utility may be exempted from this requirement by the commission, provided that satisfactory arrangements are made for test of its meters and recording equipment by another utility or approved organization.

**(2)** The over–all accuracy of the test equipment and test procedure shall be sufficient to enable test of meters and recording equipment within the requirements of these rules.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. (1), Register, 1991, No. 432, eff. 1–1–92.

**PSC 165.072 Accuracy requirements.** All meters and/or recording devices used to record data and prepare customer's bills shall be in good mechanical and electrical condition, shall be accurately read and shall not involve approximations. All meters and/or recording devices shall accurately perform the following:

**(1)** For message rate service, where timing of length of message is not involved, the meter and/or recording device shall show accurately the number of completed messages sent by the access line which it is measuring.

**(2)** For message rate and/or toll service when in addition to recording the number of messages it is necessary to time the messages, the meter and/or recording device shall show accurately the number of messages and the connected time (for person–to–per-

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son messages, conversation time) involved in each message made on the access line being measured.

**(3)** Where the recording equipment provides coded information that is used to automatically prepare customer bills, accurate interpretation of such coded information is required.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. (1) and (2), Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.073 Initial test.** Every telecommunications meter and/or recording device shall be tested prior to its installation, either by the utility or an approved organization equipped for such testing.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; am. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.074 As–found tests.** All meters and/or recording devices tested in accordance with these rules for routine or complaint tests shall be tested in the condition "as found" in connection with the customer's service prior to removal or adjustment in any respect.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68.

**PSC 165.075 Routine tests.** Each utility shall adopt appropriate practices for the test and maintenance of its meters and/or recording devices to assure the integrity of their operation.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68.

**PSC 165.076 Request tests.** Each utility shall make a test of any meter and/or recording device upon request of any customer, provided such request is not made more frequently than once each 12 months.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68.

**PSC 165.077 Referee tests.** Any customer, by written application to the commission may have a test conducted by the utility in the presence of a representative of the commission.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68.

**PSC 165.078 Test records.** A record of malfunctions associated with incorrect ticketing information shall be maintained for 2 years. Such record shall include date and time of outage, number of messages lost, estimated dollar value lost, and explanation of problem including an identification of the piece of equipment that failed.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; r. and recr. Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.08 Adequacy of service. (1)** Each utility shall employ recognized engineering and administrative procedures to determine the adequacy of service being provided to the customer.

**(2)** Traffic studies shall be made and records maintained to the extent and frequency necessary to determine that sufficient equipment and an adequate operating force are provided during the busy hour, busy season.

**(3)** Each telecommunications utility shall insure access to operator services for all exchanges operated during the 24 hours of the day.

**(4)** Each utility shall employ adequate procedures for assignment of facilities. The assignment record shall be kept up to date and checked periodically to determine if adjustments are necessary to maintain proper balance in all trunk and equipment groups.

**(5)** Local service furnished by means of line concentrator, remote switching unit, or subscriber carrier equipment at a given central office shall be substantially equivalent to that furnished other subscribers at that central office served by means of normal physical loops.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; emerg; am. (3), eff. 1–1–84; am. (3), Register, August, 1984, No. 344, eff. 9–1–84; am. (3) and (5), Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.081 Basic utility obligations. (1)** Each telecommunications utility shall provide telecommunications service to the public in its service area in accordance with its rules and tariffs on file with the commission. Such service shall meet or exceed the standards set forth in these "Standards for Telecommunications Service."

**(2)** Each telecommunications utility has the obligation of continually reviewing its operations to assure the furnishing of adequate service.

**(3)** Each telecommunications utility shall maintain records of its operations in sufficient detail as is necessary to permit such review and such records shall be made available for inspection by the commission upon request at any time within the period prescribed for retention of such records.

**(4)** Each telecommunications utility shall have at its principal office or offices in the state of Wisconsin adequate records or maps showing all equipment components and location, type, use and ownership of all rural and connecting lines as well as records or maps showing location and ownership of local exchange lines, cables, and conduits.

**(5)** Where a telecommunications utility is generally operated in conjunction with any other enterprise, suitable records shall be maintained so that the results of the telecommunications operation may be determined upon reasonable notice and request by the commission.

**(6)** (a) Each local exchange telecommunications utility shall provide single–party revertive calling capability without a monthly subscription charge for all basic local exchange service customers in all exchanges.

(b) A local exchange telecommunications utility may apply per–call charges for single–party revertive calls if so authorized by the commission.

(c) Wisconsin Bell, Inc., state long distance telephone company, and Stockbridge & Sherwood telephone company shall phase in single–party revertive calling as their central offices become equipped under schedules authorized by the commission in docket 05–TI–114. Within 90 days of the date one of these utilities installs single–party revertive calling capability in a central office, that utility shall prepare bill inserts explaining the use of that capability and shall distribute those inserts to all affected customers.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; cr. (6), Register, February, 1990, No. 410, eff. 3–1–90; am. (1) to (5), Register, December, 1991, No. 432, eff. 1–1–92.

**PSC 165.082 Traffic and operator rules. (1)** Suitable practices shall be adopted by each telecommunications utility concerning the operating methods to be employed by operators with the objective of providing efficient and pleasing service to the customers.

**(2)** Telecommunications employes shall be instructed to be courteous, considerate and efficient in the handling of all matters, and to comply with the provisions of the Communications Act of 1934, as amended, in maintaining the secrecy of communications. Under no circumstances shall any telecommunications utility employe repeat, divulge, or use the nature or content of any local or long distance call.

**(3)** All operator–handled calls shall be carefully supervised and disconnects made promptly.

**(4)** If a customer reaches a wrong number on a direct dialed call and notifies the operator, the telecommunications utility shall take reasonable action which may include referring the customer to the carrier to make certain that the charge for the call does not appear on the customer's bill.

**History:** Cr. Register, October, 1968, No. 154, eff. 11–1–68; emerg. am. (4), eff. 1–1–84; am. (4), Register, August, 1984, No. 344, eff. 9–1–84; am. (1), (2) and (4), Register, December, 1991, No. 432, eff. 1–1–92.

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**PSC 165.083 Answering time objectives.** Sufficient forces and equipment shall be maintained to attain the following average daily answer performance objectives:

**(1)** Operator handled traffic—90% of the calls answered within 10 seconds.

**(2)** Operator identified DDD calls—95% of the calls answered within 5 seconds.

**(3)** Combined operator assisted traffic and operator identified DDD calls—2.7 seconds average answer time.

**(4)** Directory assistance and intercept calls—85% of the calls answered within 10 seconds or 92% within 20 seconds or with automatic call distribution systems or equivalent, it will be 6.3 seconds average answer time.

**(5)** Repair calls—92% answered within 20 seconds or with automatic call distribution systems or equivalent, it will be 6.3 seconds average answer time.

**(6)** Appropriate equipment from which adequate service measurement can be compiled shall be installed in all toll centers.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. (1), (4) and (5), and r. and recr. (3), Register, June, 1973, No. 210, eff. 7−1−73; am. (intro.) and (6), Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.084 Dial service objectives. (1)** Each central office shall have central office capacity and equipment to attain the following minimum requirements during average busy season−busy hour traffic:

(a) Dial tone speed—98% within 3 seconds.

(b) Intraoffice trunking shall be designed so that 97% of the calls can be handled without encountering an all trunks busy condition. Any intraoffice trunk group shall be designed so that no more than 1% of the calls encounter an all trunks busy condition.

(c) Each utility shall employ appropriate procedures to determine the adequacy of central office equipment.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. (1) (intro.), (a) and (b), Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.085 Interoffice trunks.** Quantities of local interoffice trunks between central offices in multioffice exchanges and toll connecting trunks shall be designed so that at least 97% of calls offered to the group will not encounter an all−trunks−busy condition. The objective for extended−area service trunks shall be no less than 97%.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.086 Transmission requirements.** Telecommunications utilities shall furnish and maintain adequate plant, equipment, and facilities to provide satisfactory transmission of communications. Transmission design, which includes the consideration of noise and cross−talk, shall be such as to assure that objectives stated in s. PSC 165.087 are met by better than 95% of the trunks and subscribers' lines in service. It is recognized that, due to extreme environmental conditions and economic factors, it is normal to have a small percentage of items that exceed objective levels. In the event that the loss exceeds the stated objectives by more than 4 decibels dB, or the noise exceeds the stated objectives by more than 10 dB, such cases of excess loss or noise shall be considered as troubles requiring immediate action.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; am. Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.087 Minimum transmission objectives. (1)** DEFINITIONS. In this section:

(a) Noise as referenced herein means noise expressed in dB above reference noises with standard "C" message weighting, i.e., OdBrnC = − 90 dBm.

(b) Reference noise means noise which is minus 90 dBm referred to one milliwatt.

(c) dBm0 means the signal power expressed in dB referred to or measured at zero transmission level point or zero relative transmission level, i.e., 0dBrn0.

(d) dBnrC is also defined as dBrnC0 minus expected measured loss, e.g., a noise objective of 36 dBrnC0 with an expected measured loss of 6 dB will have a noise objective of 30 dBrnC and a maximum noise of 40 dBrnC.

(e) Transmission loss as set forth herein means the loss that occurs in a telecommunications connection, measured in decibels (dB) at 1004 Hertz, exclusive of test pads, impedance matching coils used for measurement, and similar devices.

**(2)** SUBSCRIBER LINES. (a) The transmission objectives set forth herein are based upon measurements at the subscriber's network interface device with customer inside wire and customer premise equipment disconnected.

(b) A subscriber line shall, in general, have a loop resistance not exceeding the operating design of the associated central office equipment. Amplifiers and long line adapters may be used to extend the central office equipment design limits; however, the objectives of these rules must still be met.

(c) The maximum transmission loss objective of any one subscriber loop shall be 8.5 dB dialed to the serving central office milliwatt tone supply. Subscribers' loops with losses in excess of 12.5 dB shall be considered as troubles requiring immediate action.

(d) The maximum noise objective for subscribers' lines shall be 25 dBrnC. Subscribers' lines with noise in excess of 35 dBrnC shall be considered as troubles requiring immediate action.

**(3)** TRUNKS. (a) The maximum overall transmission loss objective, including the loss of terminating equipment on local interoffice and toll trunks shall be 6 dB. Local interoffice and toll trunks with losses in excess of 10 dB shall be considered as troubles requiring immediate action.

(b) The maximum noise objective for trunks, with both terminals located in Wisconsin, shall be 36 dBrnC0. Noise in excess of 46 dBrnC0 shall be considered as troubles requiring immediate action.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; r. and recr. Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.088 Public telephone service.** In each incorporated municipality served by the utility and where public convenience requires it the telecommunications utility shall supply at least one public pay station that will be available to the public on a 24−hour basis.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; r. (2), renum. (1) and am., Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.089 Interruptions of service. (1)** In this section:

(a) "Out of service" means that customer cannot originate, complete or receive calls for an interval greater than 30 seconds.

(b) "Substantial number of its customers" means the smaller of 25% or 1,000 of the office local loop access lines.

**(2)** Each telecommunications utility shall make all reasonable efforts to prevent interruptions of service. When routine interruptions occur, the utility shall re−establish service as soon as possible consistent with the customer's needs. The minimum objective shall be to clear 95% of all routine out−of−service troubles within 24 hours of the time such troubles are reported.

**(3)** When major interruptions occur, the utility shall proceed promptly to re−establish service within a reasonable period of time consistent with the physical conditions encountered and available work forces.

**(4)** Each telecommunications utility shall report promptly to the commission a specific occurrence or development that disrupts local and/or toll service of a substantial number of its customers for a time period in excess of one hour, or which may impair the utility's ability to furnish service to a substantial number of customers.

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**(5)** Arrangements shall be made to receive customer trouble reports 24 hours daily and to clear trouble of an emergency nature at all hours, consistent with the bona fide needs of the customer and personal safety of utility personnel.

**(6)** Repair service shall be available daily, including Sunday, to all customers in the case of a service interruption.

**(7)** Each telecommunications utility shall maintain an accurate record of trouble reports made by its customers. This record shall include appropriate identification of the customer or service affected, the time, date and nature of the report, the action taken to clear trouble or satisfy the complaint, the date and time of trouble clearance or other disposition and identification of the employe making final disposition. This record shall be available to the commission or its authorized representatives upon request at any time within the period prescribed for retention of such records.

**(8)** It shall be the objective to so maintain service that the average rate of all customer trouble reports attributable to regulated utility plant and operations in an exchange is no greater than 5 per 100 access lines per month.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68; renum. (1) to (7) to be (2) to (8) and am. (2), (4) and (6) to (8), cr. (1), Register, December, 1991, No. 432, eff. 1−1−92.

**PSC 165.09 Protective measures. (1)** Each utility shall exercise reasonable care to reduce the hazards to which its employes, its customers, and the general public may be subjected.

**(2)** The utility shall give reasonable assistance to the commission in the investigation of the cause of accidents and the determination of suitable means of preventing accidents.

**(3)** Each utility shall maintain a summary of all reportable accidents and interruptions arising from its operations as provided in ch. PSC 104.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68.

**PSC 165.091 Safety program.** Each utility shall adopt and execute a safety program, fitted to the size and type of its operations. As a minimum, the safety program should:

**(1)** Require employes to use suitable tools and equipment in order that they may perform their work in a safe manner.

**(2)** Instruct employes in safe methods of performing their work.

**(3)** Instruct employes who, in the course of their work are subject to the hazard of electrical shock, asphyxiation or drowning, in accepted methods of artificial respiration.

**History:** Cr. Register, October, 1968, No. 154, eff. 11−1−68.

**PSC 165.10 Nonutility merchandising activities. (1)** "Nonutility merchandising activities" means the sale or lease of equipment or services under terms which are not regulated by the public service commission.

**(2)** A telecommunications utility may engage in nonutility merchandising activities by filing a notification with the commission of the utility's intention to merchandise. The notification shall be in the form of a letter and tariff filing.

(a) The letter shall include:

1. A statement of need for such activity.

2. A statement agreeing that nonutility merchandising activities, direct sales or lease, shall be accounted for under the commission's approved uniform system of accounts.

(b) The tariff shall include:

1. An identification of the services or equipment to be merchandised.

2. An identification of the geographic area in which the services or equipment will be merchandised.

**(3)** The commission may set the filing for investigation and hearing at any time if it believes the public interest may be harmed by the nonutility merchandising activities because of potential abuses such as price discrimination, anti−competitive behavior, service deterioration or cross−subsidy from regulated services.

**(4)** If a telecommunications utility proposes the exclusive nonutility merchandising of a service or product being provided under tariff, the commission shall treat the filing as a proposal for abandonment of service pursuant to s. 196.81, Stats. (See also s. PSC 2.71).

**History:** Cr. Register, June, 1982, No. 318, eff. 7−1−82; am. (2) and (4), Register, December, 1991, No. 432, eff. 1−1−92.