

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the complaint of	)	
<b>DALE F. WOFFORD</b> against <b>AMERITECH</b>	)	Case No. U-13062
<b>MICHIGAN.</b>	)	
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At the July 23, 2002 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Laura Chappelle, Chairman  
Hon. David A. Svanda, Commissioner  
Hon. Robert B. Nelson, Commissioner

**ORDER DENYING REHEARING**

On May 1, 2002, the Commission issued an order dismissing with prejudice the complaint of Dale F. Wofford against Ameritech Michigan. However, the Commission ordered Ameritech Michigan to establish an address at which customers might send written correspondence and e-mail to the company regarding billing disputes and to provide like addresses of third-party companies for which Ameritech Michigan bills. The Commission's order required that Ameritech Michigan comply by May 20, 2002.

On May 28, 2002, Ameritech Michigan filed a petition for rehearing and clarification and the affidavit of Joan M. Sliwa, Ameritech Michigan's Director of Bill Format and Standards. No responses to that petition have been filed.

In its petition, Ameritech Michigan requests a Commission finding that the company's revised procedures comply with the May 1, 2002 order, or if the Commission determines that changes to

the bill format are required, that the Commission permit Ameritech Michigan until April 1, 2003 to comply.

In its supporting argument, Ameritech Michigan states that it has taken steps to comply with the Commission's order and believes that it is unnecessary to revise the format of its bills. It states that customers may write to the bill payment center address that is listed on the bill, but are advised by notice on the payment envelope not to include correspondence with their bill payments. It further asserts that it has commenced a process to ensure that the company will receive correspondence even when that correspondence is enclosed with a bill payment. Ameritech Michigan adds that a customer who telephones Ameritech Michigan with a complaint may request and obtain a specific address to which the customer may write concerning that particular complaint.

Ameritech Michigan further represents that it has also established a means by which customers can send complaints and inquiries over the Internet. Ameritech Michigan states that, in response to the Commission's order, the company will feature this Internet contact link more prominently on its web site to make it easier for customers to use the Internet contact link. The Sliwa affidavit indicates that bills sent to customers currently contain the Internet address of the company's home page. Sliwa affidavit, ¶ 8.

Ameritech Michigan argues that it has taken sufficient steps to fully comply with the Commission's May 1, 2002 order. It asserts that the most effective and efficient way to take care of customer complaints is through "direct telephone communication with an Ameritech representative who has quick access to the information needed to resolve the matter." But it states: "Nevertheless, a customer can also make inquiries or complaints through mail or over the Internet." Ameritech Michigan's petition, p. 4. Additionally, Ameritech Michigan states that, upon customer request, it provides the address of third-party companies for which it provides a billing service.

Ameritech Michigan states that it is a wholly-owned subsidiary of SBC Communications, Inc., which provides local exchange service in 13 states. Ameritech Michigan argues that it is not aware of any other state that requires the local exchange company to provide a separate billing inquiry address on telephone bills. It argues that requiring it to do so in Michigan would impose significant costs on Ameritech Michigan.

Furthermore, Ameritech Michigan argues, the Commission is considering eliminating the requirement to display an address on bills in the rulemaking being conducted in Case No. U-13013. Thus, the company reasons, requiring Ameritech Michigan to alter its billing format to include a separate address solely for complaints might be a waste of the company's resources, should the Commission come to the conclusion in Case No. U-13013 that printing the address on the bill is not necessary. It states that it would be counterproductive and confusing for the company to change its method of responding to customers' concerns several times within a short period of time.

Finally, Ameritech Michigan argues, any bill format alteration will require at least 10 months to complete. It therefore requests that the Commission alter the due date for compliance to April 1, 2003.

Rule 403 of the Commission's Rules of Practice and Procedure, 1992 AACCS, R460.17403, provides that a petition for rehearing may be based on claims of error, newly discovered evidence, facts or circumstances arising after the hearing, or unintended consequences resulting from compliance with the order. A petition for rehearing is not merely another opportunity for a party to argue a position or to express disagreement with the Commission's decision. Unless a party can show the decision to be incorrect or improper because of errors, newly discovered evidence, or unintended consequences of the decision, the Commission will not grant a rehearing.

The Commission finds that Ameritech Michigan's request for rehearing should be denied. The May 1, 2002 order required Ameritech Michigan to establish an address to which its customers could send a written complaint. That requirement arose out of the difficulty that Mr. Wofford encountered in registering his concerns with the company. Although Ameritech Michigan now argues that direct telephone contact with customer service representatives is the most efficient manner of addressing complaints, Mr. Wofford testified to his frustration at not being able to reach a representative without spending vast amounts of time on hold. It appears that customer telephone contact with the company may be a more efficient method for Ameritech Michigan than it is for its customers.

Mr. Wofford testified that he sent Ameritech Michigan a letter. Ameritech Michigan indicated that it never "received" the letter that Mr. Wofford sent because including the written communication with the bill payment was not an appropriate way to contact it. It was unclear from the record that there was any other address to which an Ameritech Michigan customer could write concerning a complaint or question. Therefore, the Commission concluded, such an address should be established and customers informed of its existence. Now, Ameritech Michigan states that the address that appears on the bill is the appropriate one to which customers may send written correspondence. It further states that it has set up a process that will retrieve communications sent with bill payments. Thus, the Commission finds that Ameritech Michigan has met the first requirement of the order, to provide an address to which customers may send written correspondence concerning billing disputes, i.e., the address for bill payments.

The Commission also concluded that the Internet could provide an efficient method for customers to communicate with the company. Thus, the Commission required that Ameritech Michigan provide an address to which customers may e-mail their concerns. Ameritech Michigan suggests that it has met this requirement. The Commission disagrees. According to the Sliwa

affidavit, within 90 days of May 24, 2002, SBC Ameritech should complete work on its web site “to more prominently feature this Internet contact link.” Sliwa affidavit, ¶ 8. At this time, Ameritech Michigan is not in compliance with the May 1, 2002 order on this issue. Ameritech Michigan should provide an e-mail address to which complaints may be addressed in a manner that alerts its customers to this option. Without major billing format changes, Ameritech Michigan could include this option within the sections it uses for news to its customers. If, as of the date of this order, there exists a way to register a complaint on-line, it is not readily apparent to the average Internet user. A determination as to whether the proposed web site changes will be sufficient to comply with the order must await their completion.

The Commission further ordered Ameritech Michigan to provide customers like addresses for those companies to which it provides billing services. The Commission did not specifically require that those addresses appear on all billings. Ameritech Michigan may comply with this requirement by publishing addresses for these companies in its directory and providing those numbers to a customer calling Ameritech Michigan concerning billing questions. Including access to these addresses on Ameritech Michigan’s web site is an additional method to optimize customers’ ability to reach their providers.

The Commission rejects Ameritech Michigan’s argument that changes to its billing format should not be required in light of the pending decisions in Case No. U-13013. The rules that will be established in Case No. U-13013, should the printing of an address not be required, will not negate the requirements imposed by the Commission as a result of this contested case, which specifically and directly involves Ameritech Michigan. Should the Commission receive similar complaints against other local exchange service providers, it may consider imposing these requirements on those providers as well, without the need to impose them on all providers.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACCS, R 460.17101 et seq.

b. Ameritech Michigan's petition for rehearing should be denied.

THEREFORE, IT IS ORDERED that the petition for rehearing filed by Ameritech Michigan is denied.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ Laura Chappelle  
Chairman

( S E A L )

/s/ David A. Svanda  
Commissioner

/s/ Robert B. Nelson  
Commissioner

By its action of July 23, 2002.

/s/ Dorothy Wideman  
Its Executive Secretary

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Chairman

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Case No. U-13062

Suggested Minute:

“Adopt and issue order dated July 23, 2002 denying the petition for rehearing filed by Ameritech Michigan, as set forth in the order.”