

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF CenturyLink QC's)	REGULATORY
Service Quality and Its Response to Notice of)	
Commission Action in Docket N2014.3.38,)	DIVISION
Including Petition for Waiver of)	
Admin. R. Mont. 38.5.337197)(b))	DOCKETS
IN THE MATTER OF the Request of Staff)	D2014.11.91 and
of the Montana Public Service Commission)	
for CenturyLink Service Quality Information)	N2014.4.38

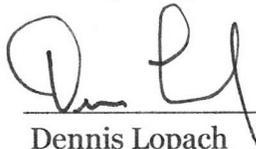
**Petition to Intervene of Missouri River
Residents for Improved
Telecommunications Service**

1. On November 12, 2014, the Montana Public Service Commission (“PSC” or “Commission”) issued its “Notice of Commission Action and Notice of Filing and Intervention Deadline” (NCA) in this proceeding, and established December 3, 2014, as the deadline for intervention in this proceeding. This case will examine the adequacy of CenturyLink QC’s (“CTL-QC”) service in Montana. The same day, the Commission consolidated Docket N2014.4.38, a matter involving the reporting of service quality by CTL-QC, into this Docket and ordered that the consolidated Dockets would be administered under this proceeding.
2. Petitioners are customers of CTL-QC who reside near the Missouri River in portions of Lewis and Clark and Cascade Counties. The named Petitioners are Adrienne and John Kernaghan, 2808 Old US Highway 91, Cascade MT 59421; Virginia Jamruszka-Misner and Howard Ellis Misner, 4810 Craig Frontage Road, Cascade MT 59421; Kathleen and James Ahrens, Missouri River Hideaway, 4860 Craig Frontage Rd., Cascade MT 59601; and Susan Maclin, 3260 Old US Highway 91, Cascade MT 59421. Named Petitioners routinely communicate with similarly situated customers of CTL-QC who reside in the same general area regarding the problems residents of the Missouri River canyon area often experience with telecommunications service from CTL-QC. The named Petitioners can be referred to as Missouri River Residents for Improved Telecommunications Service (“Residents”).

3. Missouri River Residents live and work in the Missouri River Canyon (South from I-15 Exit 242 to just North of Wolf Creek). Residents have previously voiced their many concerns regarding intermittent and poor telecommunications service to this Commission. Petitioners believe that the antiquated CTL-QC telecommunications infrastructure through which they are served is inadequate and unreliable, and causes periodic service outages that often continue for any time from hours to days in duration. During these outages, telephones may not have a dial tone or may have a dial tone but cannot make or receive calls. Persons calling Residents' phones have reported that the phone seems to be ringing, but goes unanswered (residents are home but the phone does not ring), or these callers hear an automated message saying that the number is not available at this time. Frequently, when the phones are "working", calls are dropped or intermittently cut out.
4. Other frequent issues include humming on the line, static and hearing other conversations from a different call. The outages and poor call quality appear to be worse during rainy weather and during the spring thaw.
5. CTL-QC's monthly record of repair requests is at best a low estimate of the actual number of concerns due to the lack of telephone service that customers have available to report an outage while it is occurring. It is also very likely that customers may be unaware that the phone line is not working because they hadn't tried to make any calls. It also appears that CTL-QC's outage reporting systems are inadequate. For example, recently the Misners attempted to report an outage via the Internet, but CTL-QC's Website was not working properly and did not accept the report.
6. Due to the lack of cell phone service in the area, residents must drive to Wolf Creek or to Cascade to obtain a cellular signal in order to report an outage. Canyon residents are "locked" into CTL-QC's telephone service as there are no other providers in their area.
7. Residents request that the Commission thoroughly investigate the service quality issues they are experiencing, and require CTL-QC to prepare and file a detailed, verifiable and enforceable service improvement Plan to improve telecommunications service in the Missouri River Canyon area. Given the important implications of this proceeding, Residents ask that CTL-QC be ordered to file its Plan in a form that can be reviewed and evaluated by the public without the screen of claims of confidentiality.
8. Residents request that the PSC order CTL-QC to include in its Plan estimates of the cost of replacing the plant that CTL-QC has reported to the Commission is out-dated and for which it experiences difficulty in locating replacement parts in a timely manner.

9. Residents also request that the Commission make available to the public information from CTL-QC customers in other areas of Montana detailing the inadequate service that they receive from this company.
10. Residents, as Petitioners, are interested in and directly affected by the subject matter of this proceeding. ARM, Sec. 38.2.2401. This Petition to Intervene is being served today on counsel for CenturyLink. ARM, sec. 38.2.2401.
11. Petitioners are represented in this matter by Dennis Lopach, Esq. of Dennis R. Lopach, PC, 4 Carriage Lane, Helena MT 59601. Mr. Lopach can be reached at 406 459-0211 (mobile), 406 422-0986 (home office), or by email at dennis.lopach@gmail.com. He is a licensed Montana attorney, whose State Bar number is 902. Petitioners ask that Mr. Lopach be added to the Service List in this matter. Petitioners also ask that the Service List include Adrienne Kernaghan, 2808 Old US Highway 91, Cascade MT 59421, jjkernaghan@aol.com.
12. Residents ask that the Commission grant their Petition for General Intervention in this Docket and allow them to participate in fully in developing information, alternatives and remedies for the service problems identified here and to be more fully developed and presented at hearing in this matter.
13. Residents note that CTL-QC in its "Response to Notice of Commission Action, Request for Continuance and Petition for Waiver" has requested that the Commission participate in formulating a plan to improve service. Petitioners request notice and an opportunity to fully participate in any meetings that the Commission or its staff may have with representatives of CTL-QC regarding the issues included in this proceeding. Residents also request copies or the opportunity to review any written information provided to the PSC or its staff that involves the issues in this proceeding

DATED this 3rd day of December, 2014.



Dennis Lopach
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CERTIFICATE OF SERVICE

The foregoing Petition to Intervene was today served by conventional mail and email on:

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DATED this 3rd day of December, 2014



A handwritten signature in black ink, appearing to read "Dennis Lopach", is written over a horizontal line. The signature is stylized, with a large initial "D" and a long, sweeping tail.

Dennis Lopach