

2022
ANNUAL REPORT

**Massachusetts
Department of
Telecommunications
and Cable**



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OCABR

The Office of Consumer Affairs and Business Regulation

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Letter from Undersecretary Palleschi

Dear Massachusetts Consumers,

The Massachusetts Office of Consumer Affairs and Business Regulation (OCABR) empowers and protects consumers through advocacy and education. OCABR oversees the Massachusetts Home Improvement Contractor (HIC) programs, Lemon Laws, data breach notification database, and operates a live Consumer Hotline. OCABR also ensures a fair and competitive playing field for the businesses our five agencies regulate.

As one of those five agencies, the Department of Telecommunications and Cable (DTC) works to ensure that residents receive high-quality communications services at just and reasonable rates while promoting sustainable competition in the communications marketplace.

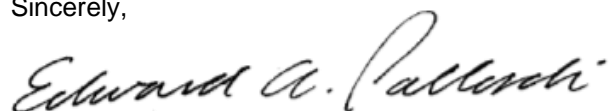
I am so incredibly proud of the integral role DTC played in the completion of *Make Ready* work this year. After a four-year coordinated effort, 2,000 miles of fiber optic cable has been installed across all 53 Last Mile towns in Central and Western Massachusetts. These unserved towns now have operational networks, bridging the digital divide.

Removing these barriers to deploy high-speed internet is at the heart of DTC's mission to serve, inform and protect Massachusetts consumers. In this digital age, having access to high-speed internet is not a luxury, it's a necessity. DTC, in collaboration with the *Make Ready Working Group*, delivered that broadband access to the doorsteps of 28,000 additional households. These consumers will now be able to get the information they need by having online access.

I am proud to share this agency's highlights of the past year with you. To that end, Commissioner Karen Charles Peterson and her team prepared an annual report for the Massachusetts Department of Telecommunications and Cable (DTC).

I hope that the contents of this report provide you with insight into our accomplishments and commitment to all consumers in the Commonwealth. As always, an informed consumer is an empowered consumer.

Sincerely,



Edward A. Palleschi
Undersecretary
Office of Consumer Affairs and Business Regulation



“Removing these barriers to deploy high-speed internet is at the heart of DTC’s mission to serve, inform and protect Massachusetts consumers.”

Letter from Commissioner Charles Peterson

Greetings,

Thank you for taking time to learn about the Department of Telecommunications and Cable (“DTC”) and the good work we do on behalf of consumers and the telecommunications industry. Fiscal Year 2022 was filled with many highpoints, from a record number of refunds returned to consumers by our Consumer Division, to outreach events held around the state and comments filed at the Federal Communications Commission advocating on issues that will enhance the communications experience for Massachusetts consumers. Over the last 2 1/2 years it has become clear that communications services, including broadband services, are essential to all residents of the Commonwealth. At the DTC, we work every day to ensure that consumers get connected and stay connected to our nation’s communications network.

Like many other agencies in the Baker-Polito Administration, we operated in a hybrid environment during FY 2022 and continued our strong work for telecommunications industry stakeholders. We fielded complaints and investigated issues on behalf of consumers, advocated for the Commonwealth and its consumers before the Federal Communications Commission, and continued to hold public and evidentiary hearings.

The DTC continues to fight to safeguard the rights of consumers, especially those that are the most vulnerable. In FY 2022, the Department secured over \$250,000 in consumer refunds and savings, while investigating 2,290 consumer complaints. We are excited to continue this hard work, as our consumers need us now more than ever.

I hope you find the information that follows helpful, and I look forward to another strong year for the DTC.

Sincerely,



Karen Charles Peterson
Commissioner
Department of Telecommunications and Cable



“At the DTC, we work every day to ensure that consumers get connected and stay connected to our nation’s communications network.”

Department Regulatory Responsibilities¹

The Department of Telecommunications and Cable (“Department” or “DTC”) is funded through an annual assessment on telecommunications and cable companies as authorized by the annual General Appropriations Act and pursuant to Chapter 25C, Section 7 of the Massachusetts General Laws (“M.G.L.”) and Chapter 19 of the Acts of 2007. The Department’s operating budget for Fiscal Year² (“FY”) 2022 was \$3,047,627. Any unexpended balances are generally credited to the General Fund.

The telecommunications industry, over which the Department has jurisdiction, is made up of common carriers, including local exchange carriers, interexchange carriers, operator service providers, payphone companies, and cable companies. As of FY 2022, 217 telecommunications carriers were registered with the Department and these companies reported over \$1 billion in intrastate telecommunications revenues for calendar year 2020.³

The cable industry in Massachusetts comprises eight cable television providers serving over 1.7 million cable video subscribers in 325 of the Commonwealth’s 351 cities and towns. Cable providers include Charter Communications, Comcast, Cox Communications, Norwood Light Department, Astound, Breezeline, Shrewsbury Electric and Cable Operations, and Verizon. Cable providers reported more than \$2.75 billion in intrastate cable revenues in calendar year 2021.⁴

The Department’s mission is to: (1) oversee the telecommunications and cable industries in accordance with the statutory obligations imposed by the Commonwealth of Massachusetts and the federal government; (2) work to ensure that consumers receive high-quality communications at just and reasonable rates; (3) promote sustainable competition which will increase the welfare of all Massachusetts residents and businesses; (4) maintain and enforce consumer protections, consistent with the public interest, particularly where market forces alone are not sufficient to do so, including investigating and responding to inquiries and complaints from consumers, providers, carriers, and other interested parties; and (5) provide expert input into the development of telecommunications and cable-related policies for the Commonwealth and the federal government.

The Department’s general responsibilities include the following.

1) Protect and Educate Consumers

- Establish and enforce basic consumer protections (e.g., the Department’s residential telephone billing and termination rules, including, for example, the prevention of service disconnection for senior households and persons with serious illness), and educate consumers about these protections;
- Monitor service providers’ billing practices and compliance with notification requirements related to billing delinquency, network enhancements, and cable programming changes;
- Mediate consumer complaints, including but not limited to billing issues, service quality, and other complaints between residential, business, and municipal customers and their service providers;

¹ The Department files this report as required by M.G.L. c. 25C, § 6.

² The Commonwealth’s Fiscal Year runs from July 1 to June 30.

³ Per statute, telecommunications carriers report calendar year revenues by March 31 of the following year. Statutory assessments against regulated carriers’ reported revenues for a particular calendar year are made in a subsequent FY. For instance, FY 2022 assessments are based on calendar year 2020 reported revenues.

⁴ Like assessments against telecommunications carriers, statutory assessments against cable providers’ reported revenues for a particular calendar year are made in a subsequent FY. Again, FY 2022 assessments are based on calendar year 2020 reported revenues.

- Answer consumer questions about different telecommunications services and technologies, including traditional landline telephone service, fiber-optic service, wireless service, internet service, and Voice over Internet Protocol (“VoIP”) service;⁵
- Monitor and implement the federal Universal Service Fund (“USF”) programs, including the Lifeline low-income discount, the Connect America Fund, the E-rate program, and the rural health care program; and
- Review and, where appropriate, approve applications for “eligible telecommunications carrier” (“ETC”) status. ETCs must meet certain service obligations to be eligible to receive federal universal service funds.

2) Promote Competition

- Revise existing policies and develop new policies in response to new technologies and market conditions;
- Collect and compile data on the status of competition in the telecommunications and cable industries in Massachusetts;
- Develop and implement policies that promote competition and service in areas of the state where it lags;
- Develop and enforce policies to promote wholesale and retail competition; and
- Implement competition-related rule changes consistent with state and federal law.

3) Inform and Advocate

- Analyze major federal legislative and regulatory decisions to evaluate their impact on state regulation of the telecommunications and cable industries and, when appropriate, advocate on behalf of Massachusetts consumers before the Federal Communications Commission (“FCC”) and Congress;
- Explain Department regulations and policies, and provide other information as requested by consumers, carriers, public officials, the Legislature, the Administration, and others;
- Monitor and evaluate proposed state legislation and provide recommendations;
- Propose state legislation where appropriate to adapt to changing technologies and market conditions;
- Analyze new technologies and market developments in order to determine their impact on consumers and the competitive marketplace;
- Participate in regional and national regulatory groups to ensure that Massachusetts’s interests are represented;⁶
- Comply with periodic FCC reporting requirements; and
- Work collaboratively with federal, state, and local partners to conduct outreach that promotes awareness and increases enrollment in certain federal benefit programs.

Telecommunications Industry Regulation

Regulatory Framework

The Department regulates telecommunications providers principally through Title 47 of the U.S. Code and

⁵ With limited exception, the Department does not regulate wireless, VoIP, or broadband internet service. M.G.L. c. 25C, §§ 6A, 8. However, the Department strives to assist all consumers with telecommunications-related requests.

⁶ National memberships and involvement include: the North American Numbering Council, the FCC’s Consumer Advisory Committee, the National Association of Regulatory Utility Commissioners, the National Association of Telecommunications Officers and Advisors, the Massachusetts Municipal Association, the Federal Communications Bar Association, and the New England Conference of Public Utilities Commissioners.

its enabling legislation found in M.G.L. chapters 25C, 159, and 166. Major changes have taken place in the telecommunications industry due to advancements in technology, legislative activity, and FCC rulings. The increase in competition, spurred largely by technological innovation, required that the Department adjust its regulations to reflect changes in market conditions and relax its regulations where market forces are sufficient to protect consumer interests, thereby ensuring that the Department continues to promote competition. However, where market forces are not sufficient to safeguard consumer interests, the Department has continued to enforce necessary protections, to the extent permitted under state law.

The Department has jurisdiction over telecommunications services that originate and terminate within or between Massachusetts' two federally designated "Local Access and Transport Areas" ("LATAs").⁷ The FCC generally regulates interstate and international telecommunications services.

Department Responsibilities

The Department's primary telecommunications-related responsibilities include:

- Enforcing service quality standards;
- Overseeing the retail market;
- Helping to ensure public safety and network reliability;
- Overseeing the wholesale market; and
- Monitoring market entry and exit.

1) Enforcing Service Quality Standards

Verizon New England, Inc. d/b/a Verizon MA ("Verizon") is the Commonwealth's incumbent local exchange carrier ("ILEC") in all but four towns in Massachusetts. Verizon also serves as the Commonwealth's carrier-of-last-resort in its service area. As such, Verizon is subject to certain service quality standards and other requirements, which the Department monitors and enforces. Additionally, the Department ensures that Verizon allocates sufficient resources for the maintenance of service and call quality to all its customers, regardless of their location.

The Department adopted, and continues to monitor, a Retail Service Quality Plan ("Plan") for Verizon retail customers. This Plan consists of twelve service measures in the categories of Installation Service, Maintenance Service, and Service Response. Verizon reports its performance on each of the measures to the Department monthly. If Verizon's performance, on a rolling basis, falls below the Department's threshold, Verizon pays a penalty in the form of a refund to all residential and business customers. The Department also evaluates Verizon's retail service quality at the local level when the Department receives a formal complaint from city or town officials or customers.

Separately, the Department monitors Verizon's compliance with a Performance Assurance Plan ("PAP") for Verizon wholesale customers. The Department and Verizon instituted the PAP in order to ensure that Verizon provides high-quality service to competitive local exchange carriers ("CLECs") pursuant to federal law. The PAP includes: (1) the adoption of carrier-to-carrier service measurements and standards; (2) scoring mechanisms to determine whether CLECs are receiving non-discriminatory treatment; (3) a provision for the payment of bill credits to CLECs if Verizon's reported performance does not meet certain standards; (4) monthly reporting requirements; and (5) provisions for annual review, updates, and audits. Like the Retail Service Quality Plan, Verizon submits PAP reports monthly.

⁷ The Western Massachusetts LATA consists of the 413 area code; all other area codes in the Commonwealth fall under the Eastern Massachusetts LATA.

2) Retail Market Oversight

The Department develops and enforces policies to promote retail competition, including policies that relax regulation where market forces are sufficient to protect consumer interests. However, the Department continues to regulate certain Verizon basic retail services over which the company retains market power. The Department similarly regulates the rates, services, and practices of three rural ILECs in Western Massachusetts, Richmond Telephone Company, Taconic Telephone Corp., and Granby Telephone & Telegraph, that have market power in their service territories. The Department also sets intrastate rates and monitors service quality for certain inmate-calling services and ensures that reasonable service quality and certain consumer protections are provided by all traditional voice (i.e., non-Voice over Internet Protocol (VoIP)) carriers.

3) Helping to Ensure Public Safety and Network Reliability

The Department helps to ensure adequate funding of the E-911 network. The Department oversees the cost of the network and establishes the retail surcharge to fund the network. The Department also oversees the State 911 Department's expenditures, pursuant to Chapter 223 of the Acts of 2008. Additionally, the Department:

- Facilitates quick resolution of wholesale and retail service outages by working closely with carriers and the Massachusetts Emergency Management Agency as necessary;
- Enforces Verizon's major extended service outage rules, which are intended to address prolonged outages affecting 200 or more customers;
- Enforces Verizon's central office collocation security rules; and
- Helps to guide federal policy impacting public safety requirements at the state and local levels.

4) Wholesale Market Oversight

Apart from building their own facilities to serve customers, carriers that wish to compete in the retail telecommunications market have two available modes of entry. The first is to lease unbundled network elements ("UNEs") from the ILEC⁸ or another carrier and to provide service over this leased network. Verizon is the ILEC for all but four towns (Gosnold, Granby, Hancock, and Richmond) in Massachusetts. Pursuant to federal law, the Department has authority over Verizon's wholesale provision of UNEs to ensure that they are provided in a nondiscriminatory manner and regulates the rates at which they are leased. The other way a carrier can enter the market is to purchase a service from another carrier (usually Verizon) at a predetermined wholesale discount rate, then brand the service with its own name and resell it. The Department develops the wholesale discount rate for Verizon pursuant to FCC methodology.

The Department has played a key role in setting the wholesale and resale rates at which carriers can lease parts of each other's networks—this applies in particular to ILECs' networks. Consistent with the Department's oversight of the wholesale telecommunications market, the Department:

- Establishes the terms and conditions under which facilities-based carriers interconnect their networks, exchange traffic, and generally conduct their business relationships;
- May set rates at which competitors can resell Verizon's retail services;
- Ensures that competing carriers do not create barriers to consumer choice (e.g., enforces number porting requirements);
- Enforces phone number allocation rules (i.e., monitors the use of telephone numbers by carriers and promotes number conservation to ensure an adequate supply of telephone numbers for the industry and to prevent the need for new area codes); and

⁸ The ILEC is the entity that owned the network prior to the introduction of competition.

- Coordinates with the Department of Public Utilities (“DPU”) to ensure access to rights-of-ways for all carriers by establishing and enforcing rules concerning the rates, terms, conditions, and access to utility poles and conduits.

5) Market Entry and Exit

Carriers may offer service based simply on the submission of a Statement of Business Operations (“SBO”) and a Department-approved rate schedule.⁹ This streamlined entry process promotes competition in the market. Reviewing new registrations for compliance with Department rules ensures quality service offerings. In monitoring market entry and exit, the Department:

- Reviews registrations, individual rate schedule filings, and online rate schedules that establish new service offerings or change the rates, terms, or conditions of existing service offerings;
- Enforces entry requirements to ensure that carriers are not operating illegally in Massachusetts;
- Facilitates a smooth, orderly process when carriers discontinue services or exit the market entirely to prevent disruption of service to customers; and
- Requires carriers to notify the Department of any transfers of ownership or control in order to ensure that Department records are up to date in terms of who is operating in the Commonwealth.

Cable Industry Regulation

Regulatory Framework

Cable television is regulated at the local, state, and federal levels. The Department regulates cable providers principally pursuant to Title 47 of the U.S. Code, its enabling legislation, M.G.L. c. 166A, and implementing regulations in Title 207 of the Code of Massachusetts Regulations. In recent years, new entrants have emerged in the marketplace, including municipally owned companies and telephone companies offering video service, as well as broadband service, in competition with incumbent cable operators. As of the close of FY 2022, 120 communities are being served by an incumbent cable provider and at least one competitive cable provider. No cable-related appeals came before the Department during FY 2022.¹⁰

Department Responsibilities

The Department’s primary cable-related responsibilities include:

- Overseeing cable television franchising, franchise renewal, and the transfer of cable franchises within the Commonwealth;
- Enforcing consumer protections, including billing and termination regulations; and
- Collecting, compiling, and maintaining statistical data from cable providers on, among other things, consumer complaints, rates, terms and conditions, market share, and financial performance.

⁹ Payphone providers are not required to file rate schedules but are required to register and file annual returns with the Department. The Department requires all payphones to have labels clearly identifying the owner/operator of the phone and to provide free access to 911 and directory assistance.

¹⁰ This report is filed to fulfill the Department’s mandate under M.G.L. c 166A, § 2, which requires an annual report to the clerks of the Senate and House of Representatives on cable appeals.

Oversight of Municipal Cable Franchising

In Massachusetts, municipalities negotiate and grant cable licenses to cable operators, while the Department retains ultimate oversight authority in licensing matters. The Department conducts an extensive educational program for communities regarding the applicable substantive and procedural licensing requirements at the local, state, and federal levels. When licensing disputes or license transfers arise at the local level, the Department can facilitate discussions between cable operators and municipalities and provide appellate review of final municipal decisions.

Consumer Protections and Education

The Department investigates and resolves individual consumer complaints through an informal negotiation process between the consumer and their service provider. If necessary, the Department can also conduct adjudicatory proceedings for regulated services. The Department also tracks industry trends and complaint patterns in order to identify and resolve more widespread problems.

The Department's regulations afford several consumer protections to cable subscribers, particularly with respect to billing and termination of their services. Cable operators must make annual filings with the Department to ensure compliance with these consumer protection regulations and federal customer service standards. Through dedicated hotlines, published consumer information and advisories, fact sheets, a consumer-friendly website, and other outreach initiatives, the Department serves as a source of information to help consumers better understand their services, evolving technologies, and consumer rights. In addition, the Department often serves as a resource to the industry, consumer organizations, and social service advocates, providing guidance and sharing best practices about consumer-related issues affecting Massachusetts residents.

FY 2022 Accomplishments

During FY 2022, the Department concluded several dockets impacting Massachusetts businesses and consumers. Docketed matters included:¹¹

- Enforcing telecommunications carriers' annual revenue reporting requirements;
- Ensuring the reasonableness of pole attachment rates, terms, and conditions;
- Ensuring the reasonableness of basic residential telephone service rates;
- Adjudicating a pole attachment complaint filed by a broadband company;
- Granting telecommunications carriers designations for ETC status, enabling them to receive federal broadband funding
- Updating the Department's pole attachment regulations (in coordination with the DPU);
- Ensuring the orderly transition of subscribers of a telephone company that left the market; and
- Adjudicating a request from the State 911 Department regarding its budget, expenditures, and the 911 surcharge. As of the conclusion of our 911 Department proceeding in FY 2022, the Enhanced 911 Fund was projected to end FY 2022 with a balance of \$387,726,234. This is substantially higher than the balances projected in recent 911 Department proceedings. The 911 Department is entitled to carry a surplus in the Fund. A sizeable surplus has been prudent in recent years given the implementation and deployment of the Next Generation 911 system and may be prudent during the upgrade to the Commonwealth of Massachusetts Interoperable Radio System ("CoMIRS"). This is particularly true because much of the anticipated CoMIRS spending has been delayed due in part to COVID-19. However, such a large surplus may not be necessary moving forward. The DTC has encouraged the 911

¹¹ Refer to Appendix A for additional docket information.

Department to consider the necessity of the projected surplus and has required that the 911 Department file a petition for review of the 911 surcharge no later than calendar year 2023.¹²

In addition to docketed matters, the Department:

- Submitted 4 filings to the FCC advocating for Massachusetts and its businesses and consumers;
- Reviewed and approved 35 interconnection agreements and amendments;
- Reviewed 93 new and revised rate schedules;
- Provided continued support to the development of the Commonwealth's Broadband Expansion Initiative to unserved areas. This support included assistance to the Executive Office of Housing and Economic Development and the Massachusetts Broadband Institute ("MBI") with respect to their work to develop "last-mile" broadband infrastructure solutions in Western Massachusetts. The Department provided support and guidance to MBI on various state and federal regulatory matters, including the expansion of broadband service into unserved communities by cable companies. In addition, the Department Commissioner sits on the MBI's Board of Directors;
- Continued to assist with the execution of cable licenses in these MBI communities. Since 2017, the Department has helped several municipalities sign cable licenses, bringing cable service and broadband to their communities for the first time;
- Opened 2,290 consumer investigations;
- Served on the legislature's special commission to assess broadband equity in the Commonwealth, the Broadband Equity Commission; and
- Received additional authority from the state legislature after successfully advocating that Massachusetts must collect broadband market data in order to fully close the digital divide.

Administration Division

Overview

The Administration Division provides administrative support to the Legal, Consumer, and Competition Divisions within the Department. In FY 2022, the Division ensured that all employees completed all required trainings and performance reviews on time and that the Department met all quarterly diversity reporting requirements. In addition, the Division updates and maintains the Department's Continuity of Operations Plan, Internal Control Plan, and Affirmative Action Plan, among other Department policies.

Division Responsibilities

Finance

The Division handles budget preparation and controls, purchasing, accounts receivable and accounts payable, payroll, and other administrative financial services. The Department's budget for FY 2022 was \$3,047,627. Revenue collected during that same period was \$4.8 million, of which approximately \$1.94 million was returned to the General Fund from revenue sources that include the Department's assessment and telecommunications and cable filing fees.

¹² This report is filed to fulfill the Department's mandate under M.G.L. c. 6A, § 18H(b), which states, "The department of telecommunications and cable shall file an annual report with the clerks of the house of representatives and the senate relative to the financial condition of the Enhanced 911 Fund."

Human Resources

In conjunction with the Office of Consumer Affairs and Business Regulation, the Division is responsible for payroll actions and human resource management.

Legal Support

The Division is responsible for publishing notices of and generally providing administrative support for Department hearings. In FY 2022, the Department conducted 4 evidentiary and/or public hearings. The Division also processes all docket filings, Notices, and Orders issued by the Department, manages the Department's record retention, and assists with public records requests. The Department issued 27 decisions in FY 2022, as well as several Department Notices. Additionally, Division staff responds to requests for information regarding docketed matters.

Competition Division

Overview

The Competition Division provides technical and analytical support to the Commissioner, all Divisions of the Department, and other Administration officials, in the regulation of the telecommunications and cable industries in Massachusetts.¹³ Through its various responsibilities, the Competition Division supports the Department's missions.

Division Responsibilities

Development of Policies that Promote Sustainable Competition and Conform the Level and Type of Regulation to Market Conditions

In conjunction with the Legal Division, Competition Division staff conducts formal and informal policy investigations to ensure that consumers of telecommunications and cable services continue to experience the benefits of competition and that such competition accrues to all residents of Massachusetts. In addition, Competition Division staff safeguards consumers by implementing new regulatory policies seeking to ensure that the rates, terms, and conditions of telecommunications and cable services are just and reasonable, where market forces alone cannot do so. Along with the Legal Division, Competition staff drafted discovery questions to and reviewed discovery responses from companies involved in Department investigations throughout FY 2022. The Competition Division assisted the Legal Division staff in preparing and finalizing Orders relating to ongoing investigations. In FY 2022, Competition Division staff conducted technical analyses in Department compliance proceedings, both formal and informal.

¹³ In 1971, the Legislature established the Massachusetts Community Antenna Television Commission ("Cable Commission"). In 1997, the Cable Commission was merged into the Department of Telecommunications and Energy as the Cable Television Division. Pursuant to Chapter 19 of the Acts of 2007, the Department's predecessor agency, the Department of Telecommunications and Energy, ceased to exist. Jurisdiction over telecommunications and cable matters was placed in the newly established Department. All telecommunications and cable authority and cases were initially transferred to the Department's Telecommunications and Cable Television Divisions, respectively. Shortly thereafter, the Department merged the separate Cable and Telecommunications Divisions to form the Competition Division, in order to increase efficiencies by taking advantage of synergies created by convergence in these industries.

Analysis and Implementation of Major Federal Regulatory Changes

Decisions of the FCC, Congress, and state and federal courts affect the structure of the telecommunications and cable industries and the Department's authority to regulate those services. Competition Division and Legal Division staff monitor large volumes of relevant case law and actions from other agencies and jurisdictions, both federal and state, to keep abreast of major issues that may influence the provision of telecommunications and cable services within Massachusetts. Competition Division staff also monitor broadband-related activities, since it is increasingly becoming the pipeline by which telecommunications and cable services are being provided to Massachusetts consumers and is a major focus of many FCC reform proceedings.

Review of New Registrations and of Rate Schedule Filings

Companies wishing to provide telecommunications services in Massachusetts must file an SBO and must have an approved rate schedule on file with the Department. The SBO includes a general description of the services to be offered by the carrier, contact information for customers who need to reach the carrier with questions or complaints, and a statement that the company has made all appropriate federal and state income tax filings and paid all income taxes. During FY 2022, the Competition Division managed filings from 6 new carriers.

The Competition Division reviews competitive carriers' rate schedules to make sure that they do not contain any terms or provisions that violate Department policy (e.g., a carrier cannot offer service on the condition that a customer agrees not to contest any charges). Competitive carriers are free to determine prices and service offerings based on what the market will bear. In FY 2022, the Competition Division reviewed and approved 93 rate schedules/tariffs and 35 interconnection agreements between carriers.

Market Monitoring and Reporting Function

The evolution of the telecommunications and cable industries in Massachusetts has resulted in many new telecommunications service providers, new technologies, such as fixed VoIP telephone service, and a plethora of new service offerings. In addition, the competitive landscape is constantly changing, with new types of competitors and individual companies taking on changing roles in the marketplace each year. Because of the changing nature of the telecommunications and cable industries, the Competition Division analyzes new technologies and market developments in order to determine their impact on consumers and the competitive marketplace.

Consumer Education and Public Information

The Competition and Legal Divisions devote substantial staff time discussing the Department's regulations and policies with potential and existing providers of telecommunications and cable services, local and state officials, state and federal legislators, other Massachusetts agencies, the FCC, and other state public utility commissions, as well as various other constituencies. Staff also devote significant time to consumer inquiries.

Legal Division

Overview

The Legal Division staff serves as the chief legal advisor to the Commissioner and provides legal support to all Divisions of the Department. Legal Division staff members serve as presiding officers for the Department's adjudicatory hearings.

Division Responsibilities

Formal Adjudication

Pursuant to M.G.L. c. 25C, § 4, which permits the Commissioner to designate employees of the Department to preside over Department hearings, Legal Division staff attorneys serve as presiding or hearing officers at Department adjudicatory proceedings conducted under the Massachusetts Administrative Procedure Act (M.G.L. c. 30A) and the Department's procedural regulations (207 C.M.R. 1.00). During FY 2022, the Legal Division issued 27 Orders and Rulings. A list of the Orders issued is attached as Appendix A. Adjudications are the formal determination of parties' rights through an administrative hearing process. All parties—the party or parties filing the action and any respondents or intervenors—are entitled to due process safeguards, including notice and the opportunity to be heard. Parties to the action have the right to present evidence, cross-examine witnesses, receive a written decision from the Department, and appeal that decision. Adjudicatory proceedings vary in complexity and frequency. Below are examples of the types of proceedings adjudicated by the Department.

- Service quality issues;
- Ratemaking;
- Disputes between pole owners and pole attachers;
- Interconnection disputes between telecommunications carriers;
- Certification of telecommunications carriers to do business within the Commonwealth;
- Certification of telecommunications carriers as ETCs entitled to receive voice and broadband funding from the federal government;
- 911 Department budgetary proceedings; and
- Formal consumer adjudications.

In conducting a formal adjudicatory proceeding, the Department generally holds two types of hearings: (1) a public hearing and (2) an evidentiary hearing.¹⁴ Public hearings are publicized on our website and through legal notice in newspapers in the provider's service territory. In certain types of cases, public hearings are conducted in a provider's service territory. A stenographer often transcribes public hearings. If conducted in a provider's service territory, public hearings may be conducted during the evening in an easily accessible public building such as the Town Hall and are overseen by a hearing officer. Otherwise, public hearings are typically conducted at the Department's office at 1000 Washington Street, Boston, MA 02118. Public hearings afford consumers the opportunity to learn more about a rate request or other change, offer their input about the pending case, and comment on the practices of the provider. Public hearings also allow Department staff to hear concerns of customers and local elected officials. Residential and business customers, as well as municipalities, are valuable sources of information to the Department in developing a case record.

Evidentiary hearings typically are conducted in a courtroom setting in the Department's Boston office. These proceedings are also transcribed by a stenographer. The Commissioner or a presiding officer presides over evidentiary hearings, with the active participation of the Department's technical and legal staff. Staff members question witnesses to ensure that the record is accurate and complete, while the presiding officer controls the conduct of the proceeding.

Although the adjudicatory process does not require adherence to all formal rules of evidence, the evidentiary hearing process follows rules that mirror many of the civil procedure rules used by Massachusetts courts, and parties are typically represented by counsel.

Evidentiary hearings afford all parties, including intervenors, the opportunity to question witnesses. In some cases, the Attorney General ("AG") of the Commonwealth is an intervenor. Other intervenors may include municipalities, individual consumers, industry trade organizations, public interest organizations, and local consumer, business, or neighborhood groups. Sometimes intervenors put on a direct case with

¹⁴ Since March 2020, the Department has conducted its public and evidentiary hearings via teleconference and video due to the COVID-19 pandemic.

witnesses of their own. Based on the evidence in the record, the Department issues a Final Order at the conclusion of each adjudicatory proceeding. Pursuant to M.G.L. c. 25, § 5, and M.G.L. c. 166A, § 2, the Department's Final Orders are generally reviewed directly by the Massachusetts Supreme Judicial Court in the case of an appeal. In certain circumstances, Department Orders may also be appealed to federal district court or the FCC.

Rulemaking

The Department conducts rulemaking pursuant to M.G.L. c. 30A, §§ 4-10 and 207 C.M.R. § 2.01, to adopt, amend, or repeal regulations pertaining to the activities of industries the Department regulates. The Department is required to provide public notice of a proposed rulemaking and to allow an opportunity for public comment. After consideration of the public comment, the Department may issue final regulations. Any final regulation is published in the Code of Massachusetts Regulations.

In FY 2022, the Department finalized its work with DPU to amend 220 C.M.R. 45.00: *Pole attachment, duct, conduit and right-of-way complaint and enforcement procedures*, which applies to different entities regulated by both agencies.

Compliance—General

The Legal Division, in cooperation with other Divisions of the Department, ensures compliance with a wide variety of laws, regulations, and policies. More specifically, during FY 2022 the Department continued to ensure that telecommunications and cable providers were complying with state statutes, rules, Department Orders, and all other regulatory requirements. For example, the Department opened its annual investigation to ensure that all carriers operating in Massachusetts continue to comply with the Department's reporting requirements. The Department's methods for ensuring compliance can include mass mailings notifying the industry of Department rules and regulations, issuing Notices of Probable Violation ("NOPV"), opening investigations, issuing Orders to cease and desist, assessing forfeitures for non-compliance, and referring violators to the AG for enforcement.

Consumer Division

Overview

The Consumer Division's primary responsibilities include enforcing and monitoring compliance with Massachusetts laws and Department regulations and policies to protect consumers of cable and landline telecommunications services. Hundreds of companies fall within the scope of the Consumer Division's regulatory authority.

While the Consumer Division primarily handles issues involving cable and landline telecommunications services, increasingly, consumers are contacting the Department seeking assistance with issues relating to unregulated communications services. The Consumer Division routinely receives inquiries and complaints from customers about internet/broadband service, satellite television, wireless service providers, and VoIP telephone providers such as Comcast, Charter, and Cox.¹⁵ See Appendix B for the breakdown of Consumer Division statistics by service provider.

Although these services are largely unregulated, Division staff is often able to assist by providing general consumer education information and resources, which may include referral to an external agency such as the AG, the FTC, or the FCC. If the Division has an established relationship with the consumer's service provider, it may be able to assist by sharing the complaint through its complaint resolution program, creating an opportunity for the provider to better address the concerns and work more readily towards a

¹⁵ Due to its former role handling utilities-related issues as part of the DPU, the Consumer Division handles a marginal number of calls from consumers seeking to contact the DPU.

potential resolution with their customer.

Division Responsibilities

Enforce Residential Consumer Protection Rules:

- Inform consumers of their rights;
- Serve as a resource for both consumers and industry on issues related to telecommunications and cable matters;
- Ensure service providers' compliance with billing and termination rules; and
- Conduct informal case investigations to resolve disputes.

Additional Protections:

- Engage in quality-of-service issues to maintain consumers' connectivity to networks; and
- Educate the public about industry-related issues, including technological changes, the CTIA's Consumer Code for Wireless Service, and other issues impacting consumers in the communications marketplace.

Respond to Consumer Inquiries

The Consumer Division conducts informal complaint investigations, responds to inquiries, and participates in the critical role of informing and educating consumers about various technological changes affecting their telecommunications and cable services. The Consumer Division's most important duty is to respond to over 8,500 contacts it receives annually. Consumers may contact the Division by telephone, mail, email, online submission, fax, or visiting the office. The vast majority of consumer contacts are made by telephone. Contacts to the Consumer Division are further categorized as either informational inquiries, requests for consumer education materials, referrals to other agencies, or case investigations that require direct involvement with a consumer's service provider.

The Consumer Division operates a Consumer Hotline ("Hotline") through which members of the public can receive personal and prompt attention by Consumer Division staff who respond to inquiries and gather information for the Division's complaint resolution process, which often involves direct involvement with a consumer's service provider. Consumers who contact the Hotline are first provided with a self-serve option of utilizing an interactive voice response assistance system for those who are intending to speak directly with their service provider, but realize they contacted the Division in error.¹⁶ These callers are automatically transferred to their service provider by simply speaking their name, eliminating the need to place an additional call.

The Consumer Division has transitioned its day-to-day operations to a hybrid work environment, remaining accessible to the public by all the above-listed methods. At the start of FY 2022, consumers were invited to leave a detailed voicemail message for the Division describing the type of assistance needed, including the option to schedule an appointment during a preferred call back time. As of October 2021, the Division successfully implemented remote call center technology to allow for managing live inbound and outbound call traffic. The Consumer Division continues to accommodate Spanish- and Portuguese-speaking callers. We also work collaboratively with service providers to address the needs of consumers in communicating in their language of choice, if not directly spoken by Division staff.

As the communications industry evolves, the Consumer Division frequently receives contacts concerning services that the agency does not have the statutory authority to regulate. Often, these contacts consist of issues that are either unassociated with a known service provider or involve entities outside of the

¹⁶ During this period, 22,882 callers were redirected to the appropriate service provider for assistance using the interactive voice response system.

Department's jurisdiction. Examples of such unregulated matters include contacts relating to collection agency practices, internet/broadband service, satellite and over-the-air television service, telephone scams, the Do-Not-Call Registry, VoIP telephone service, radio frequency safety, and wireless service and tower siting. These matters may be referred to an external agency such as the AG, the Federal Trade Commission, or the FCC for appropriate handling.

Investigate and Resolve Consumer Complaints

The two main complaint types received in the Consumer Division are billing disputes and service-quality problems. The Division also handles complaints and inquiries related to the federal government's Lifeline program and Affordable Connectivity Program ("ACP"), as well as the ACP's predecessor, the Emergency Broadband Benefit ("EBB"). This year, the most prominent inquiries received by the Consumer Division concerned:

- 1) Questions concerning company billing practices, including fees appearing on monthly billing statements as well as concerns about the overall cost of service;
- 2) General inquiries about options to help make telecommunications services more affordable, including the Lifeline Program, the ACP, and other low-cost internet programs offered by service providers in their area;
- 3) The impact of the telephone network transitioning from the legacy copper network to a fiber-optic network; and
- 4) The shutdown of 3G cellular networks by mobile providers, including the requirement to obtain newer devices to prevent a permanent loss of service prior to their carrier retiring such networks.

In cases where the service provider is found to be at fault, the Consumer Division requires the company to provide an explanation addressing the problem, make the corrective action, make any warranted refunds or credits to consumer bills, or, with respect to the Lifeline program, resolve any barriers to enrollment.

Generally, every complaint opened by the Consumer Division must be resolved before it can be closed. If the customer or the service provider is not satisfied with the investigator's resolution of a complaint, a request for additional mediation through an informal hearing may be made. Parties dissatisfied with the informal written decision issued on the complaint may request a formal adjudicatory hearing conducted by a hearing officer in the Department's Legal Division.

The Consumer Division also investigates complaints concerning the unauthorized switching of a consumer's telephone service provider, known as "slamming," which is a violation of M.G.L. c. 93, §§ 108 to 113. Companies that engage in slamming may be subject to a fine. The Consumer Division works to enforce both federal and state laws prohibiting slamming. If the Department determines that an unauthorized switch has occurred, consumers should receive a refund of any unauthorized charges that they paid. Under Massachusetts law, consumers must bring telephone service slamming complaints to the Department within 90 days of notice of the unauthorized switch of service. In FY 2022, the Department did not receive any slamming complaints for investigation. Given technological advancements in the telecommunications industry (e.g., the more prevalent use of unregulated voice services, such as Voice over Internet Protocol ("VoIP") and wireless service) and recent statutory changes prohibiting application of Massachusetts's anti-slamming law to these new technologies, the anti-slamming law is not as effective as it once was.¹⁷

¹⁷ M.G.L. c. 25C, §§ 6A, 8 (prohibiting application of the anti-slamming law to Voice over Internet Protocol (VoIP) and wireless services). This report is filed to fulfill the Department's mandate under M.G.L. c. 93, § 113(b), which requires the Department to annually report to the Joint Committee on Government Relations and the Attorney General on the impact of the anti-slamming law.

Advise the Department

The Consumer Division alerts the Department to important consumer issues, including major complaint trends such as significant billing issues, widespread service outages, and technological changes impacting access to services. For example, in FY 2022, the Division continued to monitor the ILEC's copper retirement activities in over 100 communities, ensuring that both residents and businesses who contacted the Department with concerns about migration and potential loss of connectivity to their telephone service were provided assistance in working with the ILEC to prevent any unplanned service interruptions.

Review Bills and Notices

The Consumer Division reviews certain telecommunications and cable company billing materials and customer notices to ensure that they provide consumers with clear and accurate information. Notices often concern rate increases, provider billing practice changes, and network enhancements.

Educate Consumers

The Department's website is regularly updated to provide relevant consumer information designed to educate the public and increase awareness about significant complaint trends. Examples include the transition of the telephone network from copper to fiber, tips for staying connected during emergencies, and details about the Lifeline program for affordable communications service. Also, the Consumer Division fields many calls from consumers requesting information or applications for the Lifeline Program, elder protection from telephone service suspension (available for traditional telephone service only; not offered by VoIP telephone providers), and directory assistance exemption.

The Consumer Division actively engages communities throughout the Commonwealth and regularly participates in outreach events to promote awareness of how the Department can assist consumers. The Division also offers several outreach programs designed to educate consumers about current industry-related issues, including technology transitions, reforms to the Lifeline program, and other consumer protection measures. The Consumer Division, with the assistance of the Administration Division, regularly conducts mass mailings of its brochures, fact sheets, and consumer advisories. The Division also partners with various stakeholders and community organizations to craft targeted email blasts and blog posts about relevant telecommunications matters, and occasionally appears on local community access television programs to ensure the public is reached through multiple media.

As residents continued to recover from the impacts of the COVID-19 pandemic, the Department regularly updated its website to keep consumers informed of the assistance options available to help stay connected to telecommunications services. The Consumer Division also conducted extensive outreach efforts to both consumers and community partners regarding the FCC's transition of the temporary Emergency Broadband Benefit program into the Affordable Connectivity Program, a new, longer-term program that will continue to help families and households struggling to afford internet service. For example, in April 2022 the Division partnered with the FCC and AARP Massachusetts to participate in a tele-town hall to help raise awareness of the program to their entire membership, including over 1,100 live listeners. The Consumer Division also shared information about other low-cost internet options being offered by broadband service providers (e.g., Astound Broadband's Internet First, Charter's Spectrum Internet Assist, Comcast's Internet Essentials, Cox's Connect2Compete, and Verizon's Fios Forward).

Statistics

The Consumer Division provides statistical information to the Department, industry-related companies, government representatives, and the media. The statistical complaint data compiled by the Consumer Division provides an important basis for identifying industry trends and determining whether companies meet required service quality standards. Statistical complaint data may also provide evidence of fraud or unfair trade practices, and, if so, would be shared with the AG.

FY 2022 Consumer Division Accomplishments:

- Responded to 3,559 inquiries;
- Investigated 2,290 complaints;
- Secured \$252,930.34 in consumer refunds and savings;
- Provided the public with real-time resources about the availability of low-cost telecommunications and broadband services being offered by Massachusetts providers in response to the COVID-19 pandemic;
- Collaborated with the Office of Consumers Affairs and Business Regulation to implement an extensive consumer education outreach campaign concerning the phase out of 3G cellular networks, including the distribution of a consumer advisory to over 60 local publications throughout the state;
- Educated stakeholders about the FCC's temporary Lifeline program rule waivers in response to the COVID-19 pandemic and the transition of the temporary Emergency Broadband Benefit program into the Affordable Connectivity Program. The Division also monitored complaint trends for any instances of non-compliance with the Lifeline rule waivers or barriers to enrollment in either program;
- Prepared and distributed informational packets containing consumer rights fact sheets and Department informational brochures, which included: (1) a *Massachusetts Consumer Guide to Telecommunications and Cable*, to provide a general overview of the industries that we oversee as well as relevant consumer information for purchasing services; (2) the *Copper to Fiber Migration Advisory*, to inform consumers of changes to the telephone network; (3) a Consumer Advisory related to the retirement of 3G cellular networks; (4) a *Consumer Guide to the Lifeline Program*, to provide potential program participants with an overview of the Lifeline program, including current eligibility criteria, a list of participating Massachusetts Lifeline service providers, and important consumer information to consider when applying for Lifeline service; and (5) Consumer tips related caller ID spoofing and reducing robocalls;
- Partnered with municipalities and community partners throughout the Commonwealth to conduct 10 outreach events designed to educate stakeholders about the industries that we oversee;
- Completed 2,695 direct mailings to residents with consumer education information related to elder protection from telephone service suspension, qualifications for directory assistance exemption, tips to prevent unwanted calls, and the Affordable Connectivity Program; and
- Regularly conducted meetings with industry partners to discuss and evaluate complaint handling protocols, complaint trends, and policy matters to help improve services being provided to the public.

Conclusion

The Department had another strong year fighting for the rights of consumers while maintaining a proper regulatory balance for the industries we oversee. As technologies change and the definition of "telecommunications" continues to evolve, we will continue to strike this balance for the betterment of our Commonwealth.

Appendix A

FY 2022 Department Orders and Rulings

Docket No.	Caption	Description	Date Order Issued	Date Closed
22-1	Petition of the State 911 Department for Approval of Fiscal Year ("FY") 2022 Expenditures, FY 2023 Development Grant Amount, FY 2023 Incentive Grant Regional PSAP Three to Nine Communities Category Percentage, and FY 2023 Incentive Grant Regional Emergency Communications Center Category Percentage.	Final Order	6/1/2022	6/21/2022
21-4	Investigation by the Department on its own motion as to the propriety of the rates and charges set forth in the following tariffs: MDTC No. 3 and MDTC No. 5, each filed with the Department on March 1, 2021, to become effective April 1, 2021, by Taconic Telephone Corp. d/b/a Consolidated Communications.	Order on Motion for Approval of Settlement	2/15/2022	3/7/2022
02-28	Proceeding by the Department of Telecommunications and Energy on its own motion to develop requirements for Mass Migrations of Telecommunications Service End-Users.	Mass Migration Order	2/10/2022	3/2/2022
21-2	Petition of Charter Fiberlink MA- CCO, LLC and Time Warner Cable Information Services (Massachusetts), LLC for Designation as an Eligible Telecommunications Carrier.	Service Area Order	12/13/2021	1/2/2022
D.T.C. 19-4 D.P.U. 19-76	Joint Investigation by the Department of Public Utilities and the Department of Telecommunications and Cable, on their own motions, instituting a rulemaking pursuant to Executive Order No. 562 to Reduce Unnecessary Regulatory Burden, G.L. c. 30A, § 2, 220 CMR 2.00, and 207 CMR 2.00, to amend 220 CMR 45.00.	Final Order	12/7/2021	12/27/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Final Order, Appendix 1, and Appendix 2	11/22/2021	12/12/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-9	11/10/2021	11/30/2021

21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-17	10/25/2021	11/14/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-14	10/25/2021	11/14/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-2	10/25/2021	11/14/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-15	10/18/2021	11/7/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-13	10/18/2021	11/7/2021
18-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar years 2014 and/or 2015.	Order Vacating Judgment in docket D.T.C. 18-AR-4	9/30/2021	10/20/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-7	9/22/2021	10/12/2021
11-18	Petition of Q LINK Wireless LLC for Designation as an Eligible Telecommunications Carrier in Massachusetts for the Limited Purpose of Offering Wireless Lifeline and Link-Up service to Qualified Households.	Dismissal Order	9/21/2021	10/11/2021

21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-16	9/20/2021	10/10/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-20	9/13/2021	10/3/2021
19-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar years 2016 and/or 2017.	Order Vacating Judgment in docket D.T.C. 19-AR-65	9/13/2021	10/3/2021
21-4	Investigation by the Department on its own motion as to the propriety of the rates and charges set forth in the following tariffs: MDTC No. 3 and MDTC No. 5, each filed with the Department on March 1, 2021, to become effective April 1, 2021, by Taconic Telephone Corp. d/b/a Consolidated Communications.	Order Extending Rate Suspension	8/31/2021	9/14/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-12	8/23/2021	9/6/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-3	8/20/2021	9/3/2021
20-2	Petition of TruConnect Communications, Inc. for Designation as an Eligible Telecommunications Carrier.	Order Approving Petition	8/19/2021	9/8/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-8	7/27/2021	8/16/2021

19-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar years 2016 and/or 2017.	Order Vacating Judgment in docket D.T.C. 19-AR-17	7/27/2021	8/16/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-4	7/7/2021	7/27/2021
21-AR	Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.	Memorandum of Dismissal in docket D.T.C. 21-AR-11	7/7/2021	7/27/2021
21-1	Petition of Starlink Services, LLC for Designation as an Eligible Telecommunications Carrier.	Order on Motion for Clarification	7/1/2021	7/21/2021

Appendix B

FY 2022 Consumer Division Telecommunications & Cable Statistics

Service Provider	Investigations	Inquiries	Requests for Consumer Education Materials	Auto Attendant Transfers	Adjustments and Savings
ACN Communication Services, LLC	0	1	0	0	\$0.00
Assurance Wireless by T-Mobile*	67	74	92	598	\$250.00
Astound Broadband (Formerly RCN Telecom Services, LLC)	74	125	32	794	\$12,208.30
AT&T Inc.	6	11	0	385	\$160.23
AT&T Mobility	43	15	3	34	\$18,054.68
Boost Mobile by Dish Wireless, LLC	5	1	0	0	\$285.00
Braintree Electric Light Department	0	0	0	39	\$0.00
Breezeline (Formerly Atlantic Broadband)	0	2	0	0	\$0.00
Charter Communications, Inc.	106	81	30	509	\$6,447.52
Clear Rate Communications	0	2	0	0	\$0.00
Comcast Corporation ¹	1,172	2,212	1,093	12,456	\$129,659.33
Community Phone	0	1	0	0	\$0.00
Consolidated Communications (Taconic Telephone Company)	1	0	0	40	\$0.00
Consumer Cellular, Inc.	7	4	0	0	\$0.00
Cox Communications, Inc.	0	1	0	802	\$0.00
Credo Long Distance, Inc.	2	0	0	0	\$136.00
Credo Mobile, Inc.	1	0	0	0	\$0.00
Cricket Communications	3	1	0	0	\$83.11
Department of Public Utilities	0	0	0	841	\$0.00
DIRECTV & AT&T TV	11	5	0	58	\$5,878.64
Dish Network, LLC	3	2	0	938	\$531.43
Enhanced Communications, LLC	0	1	0	0	\$0.00
Fiber Connect of the Berkshires	1	2	0	0	\$500.00
Gabb Wireless, Inc.	0	1	0	0	\$0.00
GoNetSpeed (Formerly OTELCO; Granby Telephone Company)	0	2	0	73	\$0.00
Granite Telecommunications, LLC	1	0	0	0	\$0.00
H2O Wireless	0	1	0	0	\$0.00
Hamilton Relay (Mass Relay)	1	0	0	0	\$0.00
IDT America Corporation	0	1	0	0	\$0.00
IMR Telecom	0	2	0	0	\$0.00
Lingo Communications, LLC	2	33	0	0	\$9.99
Lively (Formerly Great Call, Inc.)	5	1	0	0	\$588.70
Local Linx	1	0	0	0	\$0.00

Magna5 (Richmond Telephone Company)	0	0	0	46	\$0.00
MetroPCS by T-Mobile US, Inc.	4	3	3	0	\$48.00
Net10 Wireless	1	1	0	0	\$0.00
New Horizon Communications Corporation	1	0	0	0	\$0.00
Norwood Light Broadband	0	0	0	79	\$0.00
One Touch Communications	2	0	0	0	\$100.00
Optimum	0	1	0	0	\$0.00
Other Government Agency ²	0	0	0	680	\$0.00
Q Link Wireless	1	2	0	0	\$0.00
Russell Municipal Cable	0	0	0	23	\$0.00
SafeLink Wireless by TracFone Wireless Inc.*	47	47	37	252	\$138.99
Shrewsbury Electric and Cable Operations	1	0	0	177	\$0.00
Simple Mobile by Tracfone Wireless, Inc.	0	1	0	0	\$0.00
StandUp Wireless by Global Connection Inc. of America*	0	1	0	149	\$0.00
Starry Internet	0	1	0	0	\$0.00
Straight Talk Wireless by Tracfone Wireless, Inc.	2	1	3	0	\$0.00
Tello Mobile	2	0	0	0	\$11.59
T-Mobile USA, Inc.	43	10	1	946	\$11,338.58
TracFone Wireless Inc.	11	6	1	0	\$199.00
TruConnect Communications, Inc.*	1	1	1	0	\$0.00
Unknown or Unidentified Service Provider	0	382	644	0	\$0.00
Verizon Communications, Inc. ³	573	462	748	2,878	\$35,218.40
Verizon Wireless	77	48	2	85	\$22,822.34
Viasat, Inc.	0	1	0	0	\$0.00
Vonage America, Inc.	0	3	0	0	\$0.00
Walmart Family Mobile by T-Mobile	0	1	0	0	\$0.00
Westfield Gas and Electric (Whip City Fiber)	0	0	5	0	\$0.00
Windstream Communications	8	4	0	0	\$4,819.67
WiredWest	2	0	0	0	\$0.00
WiValley	1	1	0	0	\$140.84
XO Communications, Inc.	1	0	0	0	\$3,300.00
Total	2,290	3,559	2,695	22,882	\$252,930.34

*Indicates an Eligible Telecommunications Carrier offering wireless service via the Lifeline Program.

¹ Includes complaints filed against Comcast Business Services and XFINITY Mobile.

² Includes transfers to the Massachusetts Attorney General's Office, the Federal Communications Commission, and the Universal Service Administrative Co. (administrator of the federal Universal Service Fund programs).

³ Includes complaints filed against Verizon Business Network Services, Inc.

Appendix C

FY 2022 Department FCC Filings

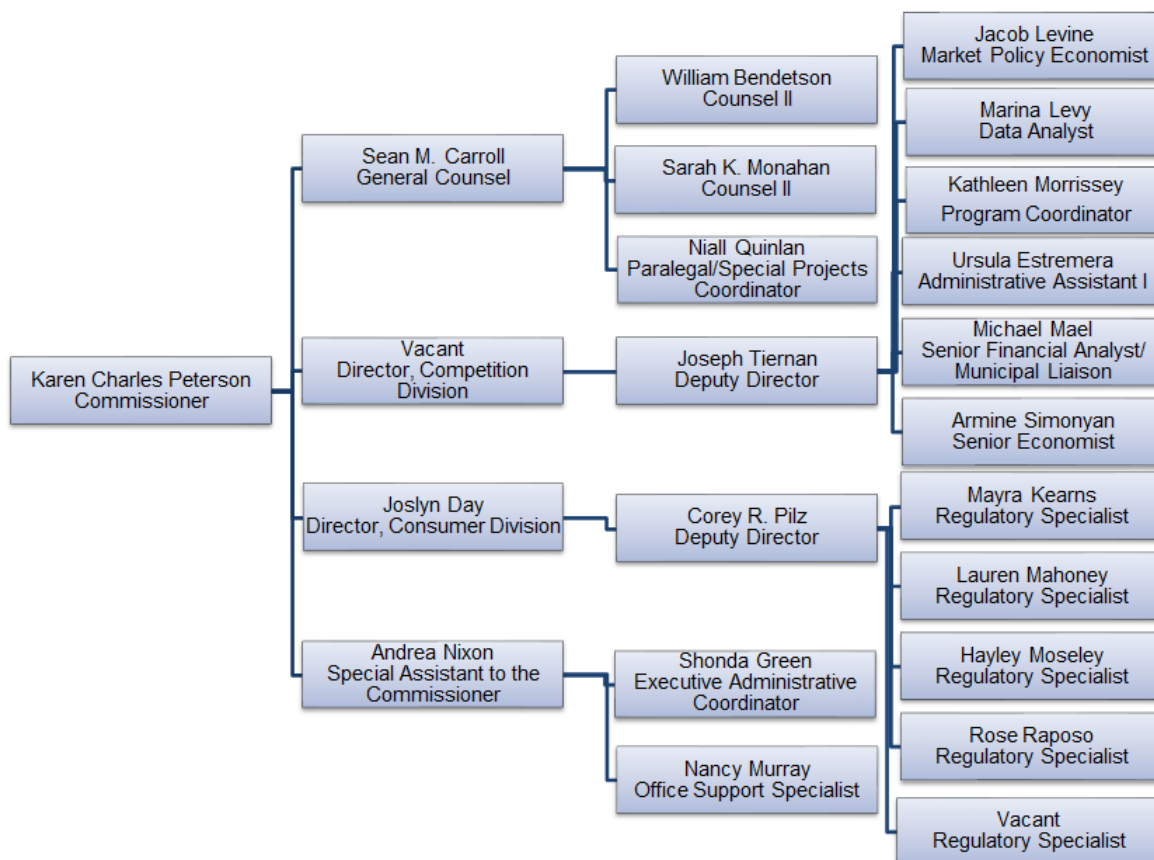
Note: All recent Department filings are available on the Department's website at <https://www.mass.gov/service-details/fcc-comments>, as well as through the FCC's publicly accessible Electronic Comment Filing System, which is available online at: <http://apps.fcc.gov/ecfs/>.

Date	Filing
6/30/2022	MDTC 22-69 NOI Reply Comments
3/9/2022	MDTC Broadband Disclosure Label Comments
2/17/2022	MDTC USF NOI Comments
9/16/2021	MDTC Reaffirmation of Support for ITN Trial

Appendix D

FY 2022 Organizational Chart

Department of Telecommunications and Cable



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