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February 24, 2010

Catrice C. Williams
Department Secretary
Department of Telecommunications and Cable
Two South Station, 4th Floor
Boston, MA 02110

RE: Verizon Service Quality in Western
Massachusetts; D.T.C. 09-1

Dear Ms. Williams:

Enclosed please find the following rebuttal testimony submitted on behalf of
Local 2324, International Brotherhood of Electrical Workers, AFL-CIO ("IBEW"):

- IBEW Statement No. 1-R - Pre-filed Rebuttal Testimony of John D. Rowley, Sr.,
Business Manager of IBEW, Local 2324.

Accompanying this testimony is the Affidavit of John D. Rowley. All parties
have been served as indicated on the attached certificate of service. Please do not hesitate
to contact me if you have any questions.

Sincerely,



Darlene R. Wong
Charles Harak
Counsel for IBEW

cc: Service list
John D. Rowley, Sr.

**BEFORE THE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

**IN RE: VERIZON SERVICE QUALITY IN)
WESTERN MASSACHUSETTS) D.T.C. 09-1
)
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PRE-FILED REBUTTAL TESTIMONY

OF

JOHN D. ROWLEY, SR.

BUSINESS MANAGER OF THE INTERNATIONAL BROTHERHOOD

OF ELECTRICAL WORKERS, LOCAL 2324

ON BEHALF OF

THE INTERNATIONAL BROTHERHOOD

OF ELECTRICAL WORKERS, LOCAL 2324

FEBURARY 24, 2010

1 Q: PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

2 A: My name is John D. Rowley, Sr. My business address is 281 Cottage Street, Springfield,
3 Massachusetts, 01104.

4
5 Q: HAVE YOU PREVIOUSLY TESTIFIED IN THIS CASE?

6 A: Yes, on November 9, 2009, I submitted direct testimony on behalf of Local 2324, The
7 International Brotherhood of Electrical Workers (“IBEW”) in this proceeding before the
8 Department of Telecommunications and Cable (“DTC” or “the Department”). In my direct
9 testimony, I included a description of my job as Business Manager of IBEW, my responsibilities,
10 background and experience regarding telephone service quality.

11
12 Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY TODAY?

13 A: I am providing rebuttal testimony to the Panel Testimony of John L. Conroy, John E.
14 Sordillo and Paul B. Vasington, filed by Verizon New England Inc., d/b/a Verizon
15 Massachusetts (“Verizon MA” or “Verizon” or “the Company”). My rebuttal addresses
16 Verizon’s mischaracterizations of my direct testimony, corrects Verizon’s misstatements of fact,
17 and provides further support to my direct testimony.

18
19 Q: IN VERIZON MA’S PANEL TESTIMONY, VERIZON STATES THAT ITS SERVICE
20 IN WESTERN MASSACHUSETTS HAS EXCEEDED THE DEPARTMENT’S TARGETS
21 FOR SERVICE QUALITY METRICS. DO YOU HAVE A RESPONSE?

22 A: Verizon’s answer is stated on a wider regional basis, but the complaints in this case about
23 service quality include inadequate response to specific locations and customers. In this

1 proceeding, complaints have come from the towns of Hancock, Egremont, Shutesbury, and
2 Rowe, and counties of Hampshire, Hampden, Franklin and Berkshire.

3
4 While the metrics relied upon by Verizon may show that the Company has met or exceeded
5 some of the Department's targets, the materials supplied by the Company in IBEW-VZ 2-5 give
6 a clearer depiction of what actually occurs in the Wire Centers. When viewing at this level, we
7 can see more clearly what the customers are experiencing. When the data for a large or very
8 large Wire Center such as that found in Boston and Springfield are averaged with smaller Wire
9 Center data, the specific service quality and conditions provided to smaller towns, which Verizon
10 characterizes as having "volatile RPHL and other metrics," are lost. For this reason, I believe the
11 DTC must adjust the reporting level measured. See IBEW St. 1 page 19, lines 6-11.

12
13 Q: VERIZON ASSERTS THAT SEVERE WEATHER IN JULY AND DECEMBER 2008
14 EXPLAINS WHY IT EXCEEDED THE 2.25 RPHL STANDARD IN WESTERN
15 MASSACHUSETTS FOR THOSE MONTHS. CAN YOU COMMENT?

16 A: It should be undisputed that in December of 2008 that Western Massachusetts
17 experienced a severe ice storm. That may be a very plausible explanation for the RPHL level.
18 July of 2008 is a very different matter, however. During this time frame (July 30th through
19 August 16th), Verizon could have assigned more Splice Service Technicians ("SSTs") to deal
20 with service difficulties as a result of alleged severe weather conditions. IBEW maintains that
21 Verizon failed to properly assign work in light of alleged weather related conditions in the field.
22 It assigned SSTs to perform routine work, i.e. non-service affecting construction work, rather
23 than assigning workers to restore customers who were out of service and address other troubles

1 caused by the weather. Had Verizon properly utilized the workforce available to it, the troubles
2 would have been cleared much more quickly. More specifically, the Company failed to assign
3 SST's to work on troubles, both during regular and overtime hours, so that the service difficulties
4 which Verizon claims existed at that time could have been properly addressed.

5
6 Q: IN RESPONSE TO YOUR DIRECT TESTIMONY THAT SEVERAL WIRE
7 CENTERS SERVING WESTERN MASSACHUSETTS CUSTOMERS OFTEN EXPERIENCE
8 A SIGNIFICANT INCREASE IN TROUBLES COMPARED TO EASTERN
9 MASSACHUSETTS, VERIZON CALLS THE RPHL RESULTS FOR WESTERN
10 MASSACHUSETTS WIRE CENTERS TOO "VOLATILE" TO BE ACCURATE (PANEL
11 TESTIMONY AT PP. 69-70). VERIZON MA ALSO CLAIMS THAT, "SMALL CHANGES
12 IN THE ABSOLUTE NUMBERS OF REPORTS CAN CAUSE EXTREME CHANGES IN
13 THE RPHL." (PANEL TESTIMONY AT P. 24, LINES 4-5). HOW DO YOU RESPOND?

14 A: As Verizon itself notes, 17 of the 21 wire centers with under 1,000 lines are in Western
15 Massachusetts (Panel Testimony, p. 24, note 12), and these 17 wires centers represent more than
16 25% of all wire centers in Western Massachusetts, which tends to contradict Verizon's critique
17 of my testimony. While Verizon can try to downplay the problems in such a substantial portion
18 of all Western Massachusetts wire centers, the Department should not. Customer service
19 measured on a large scale is not indicative of real life troubles for customers in many parts of
20 Western Massachusetts. Lost in the shuffle is the manner in which service quality is measured
21 and reported. Averages provide an overall but diluted picture, and are not a specific metric
22 wherein service quality experienced by a smaller customer community is best described.
23 Verizon, by choosing to measure its performance against certain criteria in larger geographic

1 areas, thus chooses to all but ignore smaller wire centers in the very towns whose complaints led
2 the Department to open the present proceeding.

3
4 Q: HOW DO YOU RESPOND TO VERIZON'S CLAIM THAT IN YOUR FINDING
5 THAT RPHL BY WIRE CENTER FOR WESTERN MASSACHUSETTS IS DEFICIENT
6 COMPARED TO EASTERN MASSACUSETTS, YOU DID NOT SELECT MONTHS THAT
7 ARE REPRESENTATIVE OF VERIZON MA'S PERFORMANCE OVER THE COURSE OF
8 A YEAR? (PANEL TESTIMONY AT 69)

9 A: The Company appears to have misinterpreted the information that is described on page
10 15 of my testimony. While page 15, lines 3 to 16, included the dates "December of 2006",
11 "December 2007" and "November 2008", those are meant to reflect cumulative data for each
12 year, from January through the month stated (e.g., January 2006 through December 2006, etc.).¹
13 The specific information on page 15 was culled from the 14 pages of the "Section 2 Wire Center
14 Reports" for each of the 3 years found in IBEW-VZ 2-5. I did not in fact select any particular
15 month but gave the total number of incidents (months) when the 4.0 RPHL was exceeded.

16
17 Since the time that I submitted my direct testimony, new information for December 2008 has
18 become available via a supplemental discovery response by Verizon for IBEW-VZ 2-5. Using
19 that updated information, I would replace the text of my direct testimony at page 15, lines 13-16
20 with the cumulative RPHL exceeding 4.0 throughout 2008 as follows:

21

¹ In my direct testimony at IBEW St. No. 1, some of the cumulative data appearing under the "November 2008" heading at page 15, lines 15-16 should be corrected as follows: Northeast - 4, Southeast - 22, and Marlboro - 16. However, for updated cumulative data through the entire year of 2008, the Department should refer to the new data that I am providing in my rebuttal, that is taken from Verizon MA's supplementary response to IBEW-VZ 2-5, and appears under the heading "December 2008."

1 December 2008
2 AREA
3 Boston - none, Metro North - 1, Northeast - 2, Southeast - 1, Springfield - 23, and Marlboro - 36.
4

5 These results for the cumulative trouble reports through 2008 should be read in conjunction with
6 my direct testimony, IBEW St. No. 1 at page 14, line 11 through page 15, line 11.
7

8 Q: VERIZON'S PANEL TESTIMONY SEEMS TO DEFINE THE SCOPE OF THE
9 SERVICE QUALITY COMPLAINTS IN THIS CASE AS ENCOMPASSED BY TESTIMONY
10 OFFERED AT THE JUNE 23, 2009 PUBLIC HEARING BY 34 CUSTOMERS (PANEL
11 TESTIMONY AT PP. 19-20). IS THIS AN ACCURATE PORTRAYAL OF THE SCOPE OF
12 THE SERVICE QUALITY PROBLEMS IN THIS CASE?

13 A: The Department should not view the complaints provided by customers at public hearings
14 as defining the maximum extent of customer problems, even though Verizon would like to
15 define the scope of the problem that narrowly. Many customers provided comments on the
16 DTC website. Additional testimony has also been provided by the Towns of Egremont and
17 Hancock on November 6, 2009. It is highly unlikely that all customers with complaints and
18 problems have been heard from. While local newspapers carried an announcement of the
19 hearings, not everyone reads the newspaper. Many customers would not have known about the
20 hearings, and surely many who did know about the hearing and had service quality complaints
21 did not attend. Elderly customers and other customers without a convenient means of transport
22 quite likely have not been heard from. The day-to-day schedule of others would have precluded
23 attendance. Some people may have believed that their attendance would not have led to any
24 service quality improvement, and therefore did not attend. It would be reasonable to assume that
25 some people affected by inadequate service quality did not attend the DTC public hearing or did

1 not think to mail in a written comment to DTC. As many of the customers in these areas have
2 limited or no access to the internet, they would not have posted comment to the DTC website.

3
4 Q: DO YOU HAVE ANY COMMENTS ON VERIZON'S DESCRIPTION OF THE
5 CURRENT PROCEDURE FOR HANDLING 3722-19 FORMS (PANEL TESTIMONY AT 49-
6 50)?

7 A: Verizon would have the DTC believe that the processes used in connection with Form
8 3722-19s have been effectively been used by management to address troubles and needed
9 repairs. If, in fact, Verizon has been properly following up on Form 3722-19s, virtually all
10 necessary repair work would be completed close to, or shortly after, a Form 3722-19 identifies
11 needed repair work; the number of troubles in Western Massachusetts would likely have been
12 fewer than they have been. Only as recently as mid-2009 did Verizon consistently assign
13 technicians to go from area to area tending to open plant issues and conducting proactive
14 maintenance based on the use of "predictor packages" (a tool introduced to identify areas with
15 high repair needs). However, even as recently as December 2009 many technicians did not have
16 basic equipment (such as inexpensive closures) with which to fix open plant items found in the
17 field.

18
19 Q: DO YOU HAVE ANY COMMENTS ON VERIZON'S NEW PROCESS FOR
20 AUTOMATING THE FORM 3722-19 PROCESS THAT IS RAISED IN ITS PANEL
21 TESTIMONY (PANEL TESTIMONY AT P. 50, NOTE 22) AND DESCRIBED IN
22 DISCOVERY (RESPONSE TO IBEW-VZ 10-17)?

1 A: In IBEW-VZ 10-17, Verizon states that the field manager makes the initial determination
2 if the 3722-19 requires any action at all, and in both that response and the response to IBEW-VZ
3 10-16, the Company states that 3722-19 forms are discarded once work is completed. If this is
4 the case, then the Department should require Verizon to keep all 3722-19 forms --- that is, to
5 make sure that these records are not discarded at the discretion of managers. Verizon should be
6 required to keep these forms for at least two years from the date the form is completed by a
7 front-line technician, in a manner where they can be matched by month to wire centers, to allow
8 for thorough review by the Department if questions arise in the future about how well Verizon
9 responds to repair needs. The forms (and any related database) should be available to the
10 Department. Information that is produced should be searchable by telephone number and wire
11 center. The Department may also wish to explore in this docket the factors that are taken into
12 consideration by front-line managers: Are they limited in their ability to respond to a Form
13 3722-19 by limited availability of equipment, tools, or technicians?

14
15 Q: IN RESPONSE TO YOUR TESTIMONY THAT VERIZON FAILS TO GIVE
16 APPROPRIATE DIRECTION FROM MANAGEMENT TO RESOLVE TROUBLES, AND
17 SOMETIMES THAT DIRECTION IS CONTRADICTORY (IBEW ST. 1 AT 9, 36-37), THE
18 COMPANY CLAIMS THE ESTABLISHED INSTITUTIONAL HIERACHY OF
19 MANAGEMENT WOULD ENSURE THERE IS NO CONFUSION AS TO WHICH
20 DIRECTIVE IS CONTROLLING (PANEL TESTIMONY AT 62). DO YOU HAVE ANY
21 COMMENT?

22 A: Verizon assumes that the guidance issued to technicians from a higher level manager
23 whom they rarely see is always the same guidance offered by a lower level manager whom the

1 technicians see almost every day. However, that is not always the case. In fact, guidance on an
2 issue such as a Form 3722-19 coming directly from a Director, such as Frank Crosby, to front
3 line workers simply does not happen.

4
5 Additionally, the Panel Testimony states that the Company's policy is that technicians are
6 required to resolve incidental faults or conditions in infrastructure that can be resolved quickly,
7 while problems that cannot be resolved quickly should be reported to a supervisor to determine
8 whether to proceed with the resolution. See Panel Testimony at p. 48, line 20 to p. 49 line 6; p.
9 60, lines 6-10). However, the standard of whether something can be repaired quickly is a very
10 subjective idea that can vary from person to person. The reality is that while a technician may
11 believe it reasonable to spend 30 minutes to fix something in a T-Zone, his/her supervisor may
12 disagree with the technician's decision to spend that additional time to fix something in a T-Zone
13 that was not listed on the original trouble report. There should be a consistent definition for
14 Verizon's workers throughout Massachusetts for what constitutes the T-zone.

15
16 Q: IS VERIZON ACCURATE IN CHARACTERIZING YOUR POSITION WHEN IT
17 CLAIMS THAT YOU WOULD REQUIRE TECHNICIANS TO ALWAYS DEFER THEIR
18 TROUBLE-CLEARING ASSIGNMENTS TO ADDRESS EVERY NETWORK DEFICIENCY
19 THEY FIND IN THE FIELD, DESPITE THE AMOUNT OF TIME INVOLVED OR
20 COMPLEXITY OF THE NETWORK DEFICIENCY? (PANEL TESTIMONY AT P.60, LINE
21 19 TO P.61, LINE 1)

1 A: Verizon mischaracterizes my statement. Issues discovered while repairing or installing
2 lines would have to be dealt with on a case by case basis. However, generally speaking,
3 restoring service to out of service repair requests should be a priority.

4
5 Q: YOU DESCRIBED VERIZON'S PRACTICE OF SCRUBBING IN YOUR DIRECT
6 TESTIMONY (IBEW ST. 1 AT 38-39) AND VERIZON PROVIDED ITS OWN DEFINITION
7 IN ITS TESTIMONY (PANEL TESTIMONY AT P. 64-66) IN WHICH IT DISPUTES YOUR
8 CHARACTERIZATION. VERIZON STATES THAT SCRUBBING ENTAILS BOTH AN
9 AUTOMATED TEST AND A LIVE PERSON. IS THIS CORRECT?

10 A: Verizon claims that every trouble is reviewed on two levels, but that is simply not the
11 case in reality. All troubles are subjected to an automated test. In some instances, a trouble is
12 identified as "test OK" by the auto test and closed out without ever being tested by a live person.
13 In theory, these "test OKs" are to be routed into the VRepair pool. From this pool, they are to
14 be reviewed by administrative assistants in the Dispatch Resource Center before being closed
15 out. However, these troubles can and do sit in 'queue' for more than 24 hours before being
16 tested. This becomes apparent when a trouble can resurface upon a new complaint from the
17 customer, and in reviewing the problem, the employee can see that the trouble previously
18 reported was only reviewed automatically. Not every trouble is seen by a live person before it
19 gets closed out. Also, a trouble may be delayed being dispatched. This happens when a trouble
20 resides in the VRepair pool until it is assigned to an employee for testing. VRepair issues are not
21 always tended to immediately, depending on work load.

1 Q: IN RESPONSE TO YOUR DIRECT TESTIMONY OF PROLONGED OUTAGES
2 LASTING SEVERAL DAYS (IBEW ST. 1 AT 13), THE COMPANY ALLEGES THAT THIS
3 IS CONJECTURE, A RED HERRING, AND A GENERALITY (PANEL TESTIMONY AT
4 67). CAN YOU PROVIDE ANY FACTS TO SUPPORT YOUR TESTIMONY?

5 A: I did, in fact, provide Verizon with specific facts and evidence to support this very
6 statement on December 8, 2009. In VZ-IBEW 1-5, Verizon asked:

7 On page 13 of his Direct Testimony, Mr. Rowley responds to a question
8 that begins, "Customers have complained of outages lasting several days."
9 In the question and response, does Mr. Rowley purport to discuss
10 complaints from particular customers, such as customers who appeared at
11 the public hearings in this proceeding? If so, please identify the specific
12 customer complaints on which Mr. Rowley relies. In addition, please
13 describe all research or other actions Mr. Rowley or the IBEW has taken
14 to determine the cause of each such customer complaint and the reason(s)
15 that the complaint was not resolved sooner than it was.

16
17 VZ-IBEW 1-5 (see Attachment A of this rebuttal testimony).

18
19 I answered specifically and included the following list of transcript pages and customer
20 comments:

21 6/23/09 Tr. 12-24
22 6/24/09 Tr. 8 (5 days without a phone)
23 6/24/09 Tr. 11-12 (interruptions in service)
24 6/24/09 Tr. 19-24 (no phone for 3-3.5 weeks)
25 6/30/09 Tr. 24-27, 30 (several days without phone)
26 8/3/09 Tr. 9-15 (friend lost service for 5 days)
27 In addition, see the following written comments submitted by customers
28 Kachovos, Stoffolano, Bassett, Addleson, West (on behalf of Cooley
29 Dickenson Hospital), Weinthaler, Williams, Richardson, Warwick
30 Highway Department, Naff. All referenced comments available at the link
31 on the Department of Telecommunications and Cable's website for this
32 proceeding:
33

34 [http://www.mass.gov/?pageID=ocamodulechunk&L=4&L0=Home&L1=](http://www.mass.gov/?pageID=ocamodulechunk&L=4&L0=Home&L1=Government&L2=Our+Agencies+and+Divisions&L3=Department+of+Te)
35 [Government&L2=Our+Agencies+and+Divisions&L3=Department+of+Te](http://www.mass.gov/?pageID=ocamodulechunk&L=4&L0=Home&L1=Government&L2=Our+Agencies+and+Divisions&L3=Department+of+Te)

4 Vz-IBEW 1-5 (see Attachment A of this rebuttal testimony).

5
6 Q: VERIZON ALSO ALLEGES THAT YOU HAVE NOT DEMONSTRATED SUPPORT
7 FOR YOUR STATEMENT THAT ITS ALLOCATIONS OF TECHNICIANS TO MAKE
8 INSTALLATIONS OF NEW DSL AND NEW SERVICE, INSTEAD OF REPAIRING
9 SERVICE TO EXISTING CUSTOMERS, WAS IMPROPER (PANEL TESTIMONY AT 67-
10 68). DO YOU HAVE SUPPORT FOR YOUR STATEMENT?

11 A: In IBEW-VZ 10-20, IBEW asked the Company to produce the time records that would
12 allow any party (the DTC, Verizon, or any of the intervenors) to determine the extent to which
13 technicians from Eastern Massachusetts have been transferred to do work in Western
14 Massachusetts. I was surprised that Verizon failed to do so. IBEW has been able to obtain
15 comparable time sheet information from the Company in other proceedings. In one matter, I
16 received the daily timesheets for every SST within Local 2324 for an entire six month period.

17
18 Verizon is unwilling to produce the requested information (which only it has access to), and
19 absent proof to the contrary, I stand by my direct testimony on pages 39 and 40 that Verizon
20 transferred technicians from Western Massachusetts to help build its FiOS system in Eastern
21 Massachusetts, to the detriment of customers in Western Massachusetts.²

22

² Most of those technicians who were transferred from Western Massachusetts worked on core, or copper, plant, freeing Eastern Massachusetts technicians to work on the FiOS network. As a result, the operations in Western Massachusetts lost resources to work on troubles related to the core or copper network in Western Massachusetts.

1 Q: HOW SHOULD THE DEPARTMENT TREAT VERIZON'S CLAIM THAT THE
2 COMPANY HAS "EVERY INCENTIVE TO CONTINUE TO PROVIDE QUALITY
3 SERVICE TO ALL OF ITS CUSTOMERS" AND THAT "VERIZON MA IS ACUTELY
4 AWARE OF THE FACT THAT ITS SUCCESS IN THE FUTURE IS BUILT ON HOW IT
5 TREATS ITS CUSTOMERS TODAY?" (PANEL TESTIMONY AT P. 83, LINES 10-12)

6 A: Verizon has made public statements that it intends to abandon its wireline business, at
7 least in less populated areas. Verizon MA's lack of a desire to continue its wireline service can
8 explain why customers in Western Massachusetts, that are largely on copper, are not receiving
9 adequate service quality from the Company. For example, the New York Times reported on
10 Verizon's business strategy, outlined by Chairman and CEO of Verizon Communications, Inc.
11 Ian Seidenberg, as follows:

12 Not only does Verizon control the largest mobile phone company in the
13 country, it has also largely moved away from copper wires. Verizon is
14 selling off most of its operations in rural areas and is spending billions to
15 wire most of the rest of its territory with its fiber optic network, or FiOS.

16 FiOS, of course, offers voice calling as well as video and Internet service,
17 but from now on, traditional phone service will be more of an add-on than
18 the centerpiece of Verizon's offerings to consumers (much as voice
19 service is treated today by cable firms).

20 "Video is going to be the core product in the fixed-line business," Mr.
21 Seidenberg declared. And the focus will move from selling bundles of
22 video and landline to video and cell phones, he added.

23 By converting most of its landline operation to FiOS, Mr. Seidenberg said
24 Verizon had a new opportunity to cut costs sharply. FiOS uses the
25 decentralized structure of the Internet rather than the traditional design of
26 phone systems, which route all traffic through a tree of regional, then local
27 offices.

28 "We don't look any different than Google," he said. "We can begin to
29 look at eliminating central offices, call centers and garages."

1 Mr. Seidenberg said that he was just beginning to work through the
2 implications of this and that he planned to reorganize the company in
3 order to emphasize this strategy. He told investors it may take a year or
4 two for the financial impact to be apparent.

5 Saul Hansel, "Verizon Boss Hangs Up on Landline Phone Business," New York Times, Sept. 17,
6 2009 at [http://bits.blogs.nytimes.com/2009/09/17/verizon-boss-hangs-up-on-landline-phone-](http://bits.blogs.nytimes.com/2009/09/17/verizon-boss-hangs-up-on-landline-phone-business/)
7 [business/](http://bits.blogs.nytimes.com/2009/09/17/verizon-boss-hangs-up-on-landline-phone-business/) [visited February 17, 2010]. In summary, it appears that the CEO of Verizon
8 Communications, Inc. has decided to move away from the traditional wireline telephone
9 business.

10
11 I agree with Verizon when it states that pursuing new lines of business is imperative for its
12 survival. But the issue is that Verizon is pursuing new lines of business on the backs of
13 customers who live in what one might describe as less advantageous areas. Vice President
14 Joseph Bucciarelli told me that unless the return on investment was quick enough (less than 24
15 months), the corporation would not consider the area for investment. That statement was made
16 approximately 2 years ago.

17
18 Q: YOU HAVE RECOMMENDED THAT THE DEPARTMENT ORDER VERIZON TO
19 REPORT THE NUMBER OF CUSTOMER TROUBLE REPORTS AT TOWN OR
20 MUNICIPAL LEVEL (IBEW ST. 1 AT 44), BUT VERIZON HAS STATED THAT
21 MEASURING RPHL BY WIRE CENTER IS SUFFICIENT TO MONITOR QULAITY
22 ACROSS THE REGION (PANEL TESTIMONY AT 97). HOW DO YOU RESPOND?

23 A: I reiterate my recommendation for an order similar to Middlefield to be put in place. The
24 Middlefield order shows that it is indeed possible to measure by municipality (see DTC/DTE 06-
25 6 at 12-13). As the DTC noted, "it is inappropriate for certain parts of the Commonwealth to

1 receive substantially different levels of service quality on a sustained basis than other parts of the
2 state.” See DTC/DTE 06-6, at 14. In that case, the DTC ordered that “Verizon shall report to
3 the Department in a separate section of the QOS report, for an 18-month period, the number of
4 customer trouble reports per 100 lines per month in Middlefield for the previous month, a brief
5 description of each trouble report, and a comparison of Middlefield’s RPHL with the regional
6 and statewide average RPHL for the corresponding month.” DTC/DTE 06-6, at 19.

7
8 The Company appears to read the Department’s use of the phrase “regional investigation” in this
9 proceeding as precluding the investigation of town-specific data and service problems. IBEW
10 believes the customers in Western Massachusetts would be ill-served if Verizon is not required
11 to collect town-specific data in the very towns whose complaints gave rise to this docket.
12 Verizon itself acknowledges its capability to conduct an evaluation of a single town (see Panel
13 Testimony, page 99, lines 2-5, and note 37).

14
15 Q: A THIRD PARTY INFRASTRUCTURE AUDIT OF VERIZON WAS
16 RECOMMENDED BY BOTH THE ATTORNEY GENERAL AND YOURSELF (BALDWIN
17 DIRECT AT 87-91; IBEW ST. 1 AT 44). VERIZON RESPONDED THAT YOU HAVE
18 RELIED ON ITS DATA AND THERE SHOULD BE NO REASON FOR A THIRD PARTY
19 TO CONDUCT AN AUDIT OF VERIZON. DO YOU AGREE WITH THIS CONCLUSION?

20 A: No. Verizon incorrectly characterizes IBEW’s use of Verizon data provided in discovery
21 as implying reliability of that data. IBEW has incorporated Verizon discovery responses into its
22 testimony, but in this adversarial proceeding, it should go without saying that if there been
23 similar information accessible, but from an unbiased, uninterested and reliable third party, IBEW

1 would have used such data, and likely relied upon it instead of the data from Verizon. The audit
2 should be independently conducted to ensure fairness and accuracy in reporting to the DTC. The
3 independence of the audit could be achieved by a third party auditor who gathers and assesses
4 information from all levels of Verizon employees, including the technicians and workers. The
5 inclusion of frontline workers would be critical. Their direct knowledge of the infrastructure
6 would be invaluable and essential to performing a complete and accurate audit.

7
8 Q: DOES THIS COMPLETE YOUR REBUTTAL TESTIMONY?

9 A: Yes, it does at this time. However, I reserve the right to supplement my testimony if new
10 information is received.

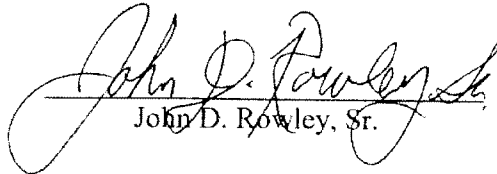
BEFORE THE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

RE: Verizon Service Quality in Western D.P.U. 09-1
Massachusetts; D.T.C. 09-1

AFFIDAVIT OF JOHN D. ROWLEY, SR.

John D. Rowley, Sr., hereby deposes and says: I, John D. Rowley, on behalf of Local 2324, the International Brotherhood of Electrical Workers, certify that the IBEW Statement No. 1-R, the Pre-filed Direct Testimony of John D. Rowley, Sr., that was submitted to the Department of Telecommunications and Cable and served to all active parties on February 24, 2010, was prepared by me or under my supervision, and is true and accurate to the best of my knowledge and belief.

Signed under the pains and penalties of perjury this 24th day of February, 2010.


John D. Rowley, Sr.

**BEFORE THE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Re: Verizon Service Quality in Western Massachusetts

D.T.C. 09-1

CERTIFICATE OF SERVICE

I certify that I have, on this day, served upon each person below the foregoing IBEW Statement No. 1-R, the Pre-Filed Rebuttal Testimony of John D. Rowley, Sr., by first class mail and/or email, as indicated.

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