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OFFICE OF THE VICE PRESIDENT

June 26, 2013

Honorable Jeffrey Cohen
Acting Secretary, Public Service Commission
State of New York
Three Empire State Plaza
Albany, NY 12223

Re: Case 13-C-0197 -- Tariff filing by Verizon New York Inc. to introduce use of wireless technology as an alternative to repairing damaged facilities.

Dear Secretary Cohen:

On behalf of CWA and its 68,000 members in New York State, including more than 14,000 at Verizon, I am writing to inform you that Verizon New York, Inc. ("Verizon") is in violation of New York Public Service Commission's ("PSC" or "Commission") *Order Conditionally Approving Tariff Amendments in Part, Revising in Part, and Directing Further Comments*, issued May 16, 2013 ("Order"). As we detail in this letter, Verizon is presently undertaking to expand VoiceLink in and around Monticello, among other parts of the Hudson Valley. Verizon has also performed dozens of VoiceLink installations in New York City, including attempting to switch an 81-unit senior residence to VoiceLink.

Given the unambiguous directives of the Commission's Order, Verizon's ongoing efforts to install VoiceLink beyond the western portion of Fire Island are outrageous, ill-considered, and flout the Commission's authority. The Commission should immediately order Verizon to cease the unauthorized abandonment of wireline facilities and the replacement of wireline service with VoiceLink in Monticello and surrounding communities or any other part of the state, beyond the limited portions of Fire Island covered by the conditional authorization.

The following describes actions that Verizon is presently undertaking to expand VoiceLink service:

For years, a large community of Orthodox Jews has taken up residence in summer homes in and around Monticello (including the towns of Liberty, Fallsburg, Kerhonkson, and Ellenville), at the end of June. In anticipation of setting up residence in these homes, the residents notify Verizon to reactivate their voice telephone service; some 40% of these summer residents are also DSL subscribers. Because there is a large influx of customers all at once, Verizon has typically needed (in past years) to bring in extra technicians to attend to outside plant problems that have developed over the off-season. Technicians report that Verizon has neglected the ongoing maintenance of facilities in this area and that, as a consequence, in recent years, there has been a high level of customer complaints about service quality.

This year, however, Verizon did not summon the usual crews to repair its outside plant. Instead, this past Thursday, June 13, 2013, technicians noted that 500 VoiceLink modules had been delivered to the garage facility from which Verizon dispatches technicians for repairs in Monticello and neighboring towns. CWA technicians were informed that they would be installing these units at summer residences served by damaged facilities that had not been repaired. Training for VoiceLink installation began on Friday, June 21, 2013, and technicians began their first installation on the same day (accompanied by a supervisor).

To the best of CWA's knowledge, the affected customers were not provided with information ahead of time about VoiceLink's many limitations as a service. They appear to have been pressured to accept VoiceLink without being given an adequate explanation of the alternative: repair and/or normal installation of copper service. Moreover, there was no "Superstorm" at work in Monticello and no emergency or unforeseen circumstances – just the easily predictable, routine deterioration of facilities that Verizon could not be bothered to maintain and an influx of customers who arrive every year at exactly the same time. In other words, Verizon had ample opportunity to plan for the maintenance and repair of these customers' needs in a timely manner, but simply chose not to schedule the necessary work.

We note that the Monticello VoiceLink installation is not an isolated occurrence. As early as mid-May, Verizon dispatched employees to install VoiceLink as replacement service to all 81 units of a building at 308 E. 8th St. in lower Manhattan, but the elderly residents of the building insisted that VoiceLink not be installed after learning that it would not support their LifeAlert health monitoring equipment. To CWA's knowledge, the building remains without phone service at the present time. There have also been a limited number of installations in the Hudson Valley area to customers who were not aware of the limitations of VoiceLink service. Verizon has also installed VoiceLink on a limited basis in the Boroughs of Brooklyn and Queens.

In its Order, the PSC permitted Verizon to proceed with a VoiceLink trial on the western part of Fire Island. However, in the Order and the Notice Inviting Comments, the Commission noted that there were technical, competitive, public safety and legal concerns, among others, that needed to be addressed before it could consider authorizing any expansion of VoiceLink as a replacement for Verizon's wireline service.

CWA reads the Commission's Order and Notice as clearly authorizing VoiceLink *only* on the western portion of Fire Island and *only* until the Commission has had the opportunity to assess both the specific Fire Island trial and the broader public policy concerns with Verizon's tariff in more detail. Moreover, while the "conditional approval" was in effect, the Order did not permit Verizon to seek to include any other locations, even if Verizon were to attempt a "demonstration" that the use of such service was justified. The Order specifically states:

While the demonstration would be subject to Commission review and there may be circumstances that warrant such consideration, the proposal goes beyond the immediate need for use of VoiceLink in the western portion of Fire Island. Therefore, we are suspending that portion of Verizon's tariff amendment related to the expansion of the use of VoiceLink to other areas of the State. Order at 10.

Even as filed, the *only* location specifically identified in Verizon's tariff is the western portion of Fire Island. Similarly, facilities on Fire Island are the only ones covered by Verizon's recent application

to the FCC to discontinue service on lines within New York State (Verizon Section 214 Application, June 7, 2013).

CWA urges the PSC to take immediate action to enforce the conditions that the Commission has placed on the offering of VoiceLink service and prevent Verizon from expanding its VoiceLink footprint while this matter is under investigation. In the meantime, the Commission should enforce Verizon's obligation to maintain the integrity of its wired facilities so that they are "adequate" (per section 91 of the Public Service Law) and capable of providing customers with "just and reasonable" service. To this end, the Commission should direct Verizon to arrange for the immediate repair of facilities required to provide wireline service to customers in Monticello and neighboring communities – and in any other part of the State (excepting western Fire Island) where Verizon is presently using or planning to use VoiceLink as an alternative to wireline service.

A handwritten signature in black ink, appearing to read "Chris Shelton". The signature is written in a cursive, flowing style.

Chris Shelton
Vice President
CWA District 1