

August 28, 2019

Via Electronic Mail & Federal Express

Luly Massaro
Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

Re: Docket No.: 3533
Petition of Cox Rhode Island Telcom, L.L.C. for Certificate as a Telecommunications
Carrier "Eligible" to Receive Payments from The Federal Universal Service Fund Order

Dear Ms. Massaro:

Luly

On behalf of Cox Rhode Island Telcom, L.L.C., ("Cox"), enclosed please find for filing with the Commission an original and three (3) copies of Cox's *Supplemental Responses* to DPUC's Div 1-1 and Div 1-15 data requests.

Respectfully Submitted,

Cox Rhode Island Telcom, L.L.C.

By its Attorneys:



Alan M. Shoer, Esq.

RI Bar No. 3248

Adler Pollock and Sheehan P.C.

One Citizen's Plaza, 8th Floor

Providence, Rhode Island 02903-1345

Enclosures

cc: Robert J. Howley, Cox (*via e-mail*)

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

Petition of Cox Rhode Island Telcom, L.L.C. for)	
Certificate as a Telecommunications Carriers)	Docket No. 3533
“Eligible” to Receive Payments from)	
the Federal Universal Service Fund Order)	

COX RHODE ISLAND TELCOM, L.L.C. (“COX”) SUPPLEMENTAL RESPONSES TO
DPUC’S FIRST SET OF DATA REQUESTS
(Issued June 18, 2019)

DIV 1-1	<p>In its petition, Cox states that impacted customers will be transitioned to Cox Voice Premier at a monthly rate of \$9.99 for 12 months “by contacting Cox”. The petition goes on to note, “Customers who do not contact us to select a service offer will be billed a standard rate beginning September 1, 2019”. Please explain why is Cox requiring customers to initiate contact with the company to obtain the discounted rate rather than simply transitioning customers to the discounted rate?</p>
COX Resp.: DIV 1-1	<p>To reduce the impact of Lifeline ending, we are offering Cox Voice Premier with 14 calling features at a promotional rate of \$9.99 per month for 12 months. However, customers may prefer to keep their Basic telephone service without a promotion or Lifeline discount. Speaking directly with Cox Customer Service will enable customers to receive answers to their questions and review options best suited for their needs.</p>
COX Supplemental Response: DIV 1-1	<p>To reduce the impact of Lifeline ending, we initially proposed in our May 31, 2019 Petition offering Cox Voice Premier with 14 calling features and long distance at a promotional rate of \$9.99 per month for 12 months <i>with an express requirement the customer contact us first to confirm.</i> Section 258 of the Communications Act as well as Part 64 of the FCC’s regulations (better known as the federal “slamming” rules) provide that a carrier may only submit a request to switch a customer’s other service provider if the carrier has evidence the customer has confirmed the switch. Here, our long-distance service in Cox Voice Premier would need confirmation from the lifeline customer.</p> <p>Similarly, Section 201(b) of the Act as well as Part 64 of the FCC regulations (“cramming” rules) prevents a service provider from placing features/products/services on an account without gaining permission. Like long distance, the 14 new features in</p>

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	<p>Cox Voice Premier would have to be affirmatively confirmed by the lifeline customer before appearing on our bill.</p> <p>Lastly, we note customers may prefer to keep their basic telephone service without the Cox Voice Premier promotion.</p> <p>Speaking directly with Cox Customer Service will enable customers to receive answers to their questions and review options best suited for their needs.</p>
Respondent:	Scott Sandall
Date:	June 28, 2019 Cox Supplemental Response: DIV 1-1, Dated: August 28, 2019

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DIV 1-15	Provide each decision from every jurisdiction where Cox has been <u>granted</u> relinquishment of its ETC designation.
COX Resp.: DIV 1-15	Cox has been granted relinquishment of its ETC designation in Arizona, Arkansas, Florida, Georgia, Iowa, Kansas, Nebraska, Nevada and Virginia. <i>(See attached Decisions for each state)</i>
COX Supplemental Response: DIV 1-15	On August 28, 2019 the Connecticut Public Utilities Regulatory Authority (“PURA”) approved the Draft of a Final Decision <i>(See attached)</i> granting relinquishment of Cox’s ETC designation in Connecticut.
Respondent:	Deborah A. Montanaro
Date:	June 28, 2019 Cox Supplemental Response: DIV 1-15, Dated: August 28, 2019



STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

**DOCKET NO. 08-05-07 PETITION OF COX CONNECTICUT, L.L.C. FOR ELIGIBLE
TELECOMMUNICATIONS CARRIER DESIGNATION -
RELINQUISH ETC DESIGNATION**

August 28, 2019

DECISION

On June 19, 2008, the Public Utilities Regulatory Authority (Authority) issued its Final Decision in the above-referenced docket. The Decision designated Cox Connecticut Telecom L.L.C. (Cox CT or Company) as an Eligible Telecommunications Carrier (ETC) pursuant to 47 U.S.C. § 214(e) and 47 C.F.R. §§ 54.201 and 54.207(a). The ETC designation allowed Cox CT to receive funding and/or reimbursement from the available federal universal service support mechanisms. On May 31, 2019, pursuant to Section 214(e)(4) of the Communications Act of 1934, (Act) and Section 54.205 of the rules and Regulations of the Federal Communications Commission (FCC), Cox CT petitioned the Authority to relinquish its ETC designation. Pursuant to §§ 4-181a, 16-9 and 16-19 of the General Statutes of Connecticut, the Authority hereby reopens the instant proceeding for the limited purpose of reviewing Cox CT's request to relinquish its ETC designation effective September 1, 2019.

Under the Universal Service Fund provisions of the Act, the Authority must allow an ETC to relinquish its designation provided that: (1) there must be more than one ETC serving in the area of the ETC seeking relinquishment; (2) the ETC seeking relinquishment must provide advance notice to the relevant state Commission, in this case, the Authority; (3) the customers served by the relinquishing ETC must continue to be served by an ETC; and (4) to the extent that additional facilities are required to serve any of the relinquishing ETC's customers, sufficient notice must be provided to ensure that the construction or purchase can be timely completed.

Cox CT indicated that the discontinuance will be minimal as they serve one hundred ninety-two (192) subscribers in Connecticut. Cox CT provided a list, by zip code, of other ETCs serving in all or parts of Cox CT's footprint. Cox CT Petition, Page 4 and Exhibit A. The Company also stated that it will provide a customer notification letter to its

impacted customers, via U.S. mail, at least sixty (60) days prior to the ETC relinquishment date. The letter will address the elimination of the Lifeline discount. Cox CT will also send a bill message at least thirty (30) days prior to the relinquishment date. Impacted customers, who contact Cox CT, will be transitioned to the Cox Voice Premier calling plan, at a promotional rate of \$9.99 per month for a twelve month period. Customers who do not contact Cox CT will be billed at standard rates beginning September 1, 2019. Cox CT stated that it will stop taking new Lifeline Applications beginning July 1, 2019, but will continue to offer a low cost internet service and devices to low income students and their families. Id. pp 4-5.

The Authority has reviewed Cox CT's petition and finds that the Company has demonstrated that it has met the requirements established by the Act with regards to relinquishing its ETC designation. The Company has a right to a hearing by delivering to the Authority a written application for a hearing within 20 days from the date of receipt of this Proposed Reopening and Final Decision.¹ If a hearing is not requested, then this Proposed Reopening and Final Decision will be voted upon by the Authority and, if adopted, will become a Final Decision in this docket and Cox CT's ETC designation will be relinquished effective September 1, 2019.

¹ Cox Connecticut L.L.C., has voluntarily requested to relinquish its ETC designation, but the Authority is statutorily obligated to offer the Company the right to a hearing.

**DOCKET NO. 08-05-07 PETITION OF COX CONNECTICUT, L.L.C. FOR ELIGIBLE
TELECOMMUNICATIONS CARRIER DESIGNATION -
RELINQUISH ETC DESIGNATION**

This Decision is adopted by the following Commissioners:

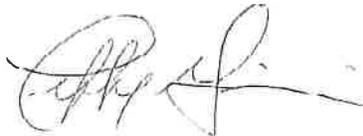
Michael A. Caron

John W. Betkoski, III

Marissa P. Gillett

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Public Utilities Regulatory Authority, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.



Jeffrey R. Gaudiosi, Esq.
Executive Secretary
Public Utilities Regulatory Authority

August 28, 2019
Date

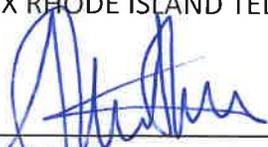
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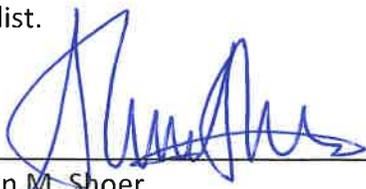
COX RHODE ISLAND TELCOM, L.L.C.



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Tel. (401) 274-7200
Fax (401) 751-0604

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2019, I delivered a true copy of Cox's **Supplemental Responses** to DPUC's First Set of Data Requests Div 1-1 and Div 1-15 in Docket No. 3533 via electronic mail to the parties on the electronic service list.



Alan M. Shoer