

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. The complaint filed in this docket on April 13, 2012 is dismissed without prejudice.
- B. This docket is hereby closed.
- C. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118; K.S.A. 77-529(a)(1).
- D. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Dated: SEP 26 2013


ORDER MAILED SEP 27 2013

Kim Christiansen
Executive Director

MRN



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Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chairman Mark Sievers
Commissioner Thomas E. Wright
Commissioner Shari Feist Albrecht

FROM: Kelly Mabon, Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: September 18, 2013

DATE SUBMITTED TO LEGAL: 9/19/13

DATE SUBMITTED TO COMMISSIONERS: 9-23-13

SUBJECT: Docket No. 12-SWBT-746-COM
Complaint Against Southwestern Bell Telephone Company d/b/a AT&T
Kansas by Gary Ferguson

BACKGROUND:

A Formal Complaint was filed on April 13, 2012, by Gary Ferguson (Complainant or Customer) of 27953 West 95th Street, Desoto, Kansas, against Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T) regarding noise disruption that had been ongoing on his telephone line since July 2008.

On April 25, 2012, AT&T filed a Motion for Enlargement of Time to File a Response to Complaint. On April 27, 2012, the Commission granted the Motion for Enlargement of Time to File a Response to Complaint and set a deadline for response of May 14, 2012.

On May 14, 2012, AT&T filed a Response to the Formal Complaint. In the response, AT&T stated the following:

- For the past several years, following the customer's complaint directly to AT&T, the respondent has undertaken to resolve alleged static or a "hum" on Complainant's access line to his home at 27935 West 95th St., DeSoto, Kansas.

- In the past 18 months alone, AT&T has incurred 112 man hours of work and approximately \$2,300 in contractor and other construction costs to resolve the "hum" on Complainant's line. AT&T has examined the cable shielding and every splice point along the cable route serving Complainant. AT&T has also replaced approximately 1,200 feet of cable and drop serving the Complainant that was previously damaged by road construction work.
- AT&T placed an ISOBAR in the Complainant's home to try and eliminate any issues possibly caused by the home's AC wiring. An ISOBAR is a power supply or power strip designed to isolate anything plugged into it from imbalances or defective shielding in the AC wiring of a house or business. The ISOBAR resulted in a reduction of audible noise, but marginal noise levels were still detectable on the actual cable and cable pair. Because the "noise" persisted, Multi Neutral Ground (MNG) bonds were placed in an effort to counteract current induced on the cable by the power grid in the area serving the Complainant.
- AT&T suspects the root cause of the problem is related to slot harmonics caused by the power grid in the area, together with the fact that Complainant uses cordless telephones, which can be adversely affected by high power influences. At this time, AT&T is presently working with Westar, the electric utility for Complainant's location, to study the power in the area and determine whether the grid is causing a high power influence on the Complainant's phones and AT&T's plant serving the Complainant.
- As a result of its investigation and work, AT&T does not believe the issues complained of are being caused solely by its network plant. AT&T is actively working with Westar to study and investigate any potential power issues associated with Complainant's location that may be affecting Complainant's cordless phones and AT&T's network.

Staff sent DR #1 to AT&T to further understand what steps have been taken and why the hum is still detected on the Customer's line. DR #1 was sent to AT&T on June 23, 2012, asking clarifying questions.

AT&T sent a response to DR#1 on July 2, 2012. These answers included engineering issues that were associated with Westar's power grid.

Staff began filing Status Reports in this Docket on July 25, 2012, outlining actions taken by both Westar and AT&T regarding this Complaint. Nine Status Reports were filed by Staff in this Docket.

Staff recommends the Commission close this Complaint because the issue has been resolved.

ANALYSIS:

On May 16, 2013, an AT&T network manager and an AT&T technician installed a 6 pair, Induction Neutralizing Transformer (Noise Mitigation Device) at Terminal #25 on 95th Street. They treated all pairs in the 5 pair drop/cable that feeds the Ferguson drop pedestal. Upon testing, it was noted that the Power Influence was lowered to 85 db and the Circuit Noise to 15 db. Initially, the Customer indicated that they were satisfied with the service and also indicated that they planned to inform the KCC that they were satisfied with the service.

On June 6, 2013, Gary Ferguson called the KCC to tell them that the noise on his telephone line was back. The AT&T network manager working with Mr. Ferguson on this issue was out of the office until June 17, 2013. Due to various staffing issues, AT&T was unable to address the ongoing concern until August 14, 2013.

An AT&T technician visited the site August 14, 2013, to work on the INT and associated wiring. The INT is working once again and creating a 20db drop in Power Influence on the Ferguson's line. The technician reported that the line sounded very quiet and the customer agreed the line was quiet on their end, also. The technician tagged the cable pairs and wiring associated with the INT to identify them and is having the exciter cable pair reserved in the office. Tagging, identifying and reserving the associated equipment will ensure the exclusive use of those facilities for the INT, allowing the INT to keep the Power Influence and circuit noise at a satisfactory level.

Staff contacted Mrs. Ferguson to see if the noise level has been mitigated. Mrs. Ferguson agreed that the line was noise free, however, asked that the Complaint be kept open to ensure the problem does not occur again.

The Commission was contacted through an email by the customer, Gary Ferguson, on September 18, 2013, stating he is satisfied with the phones now after 5+ years of trouble.

RECOMMENDATION:

The Customer is now satisfied with the quality of service on his telephone line. Staff recommends the Commission close this Complaint.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
GARY FERGUSON 27935 WEST 95TH ST DE SOTO, KS 66018		
MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
BRUCE A. NEY, GENERAL ATTORNEY SOUTHWESTERN BELL TELEPHONE CO. D/B/A AT&T KANSAS 220 SE 6TH AVE RM 515 TOPEKA, KS 66603-3596		

ORDER MAILED **SEP 27 2013**

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.