
Mark M. Gailey , President and G.M.

CERTIFICATE OF SERVICE

Mark Doty certifies that a true and correct copy of the foregoing Supplemental Response to Complaint was sent via email on 8-16-22 addressed to the following persons:

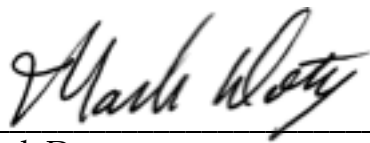
BRIAN G. FEDOTIN, GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
b.fedotin@kcc.ks.gov

WALKER HENDRIX, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
w.hendrix@kcc.ks.gov

MICHAEL NEELEY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
m.neeley@kcc.ks.gov

And by First Class Mail to:

JOSEPH A. LAFON
3523 Legionville Lane
Independence, KS 67301



Mark Doty



P.O. Box 300

Ochelata, OK 74051-0300

918-535-2208

888-580-2208

Once again, thank you for reaching out to us regarding a customer complaint. Below is an updated response to the formal complaint to the KCC regarding Joseph and Carla LaFon's ability or lack thereof to receive incoming telephone calls from outside of the network maintained by Totah Communications, Inc.

Mr. and Mrs. LaFon made a request for local service which Totah Communications, Inc. employees installed on January 17, 2017. Their original telephone number was 620-289-4355.

Totah Communications, Inc. received a port request from Verizon through Syniverse to port number 620-289-4355. This was completed on February 5, 2019.

Mr. and Mrs. LaFon requested service again from Totah Communications, Inc. which was installed on March 22, 2019 with telephone number 620-289-4321.

The customer called in with a trouble complaint on October 25, 2018 for telephone number 620-289-4355. The service technician cleared the trouble ticket to problems in a serving pedestal.

Mr. and Mrs. LaFon contacted Totah to have their service re-established. Their service was turned on March 22, 2019 with telephone number 620-289-4321. It was communicated to the CSR who took the service order that the customer was unhappy with the service they received from Verizon wireless.

On August 30, 2019, the customer called in to state that their telephone rings once and then goes dead or has a continuous ring. The Totah technician went to the serving remote where the Line card feeding the LaFons' cable pair was located. The line card feeding the LaFons' service was then changed in the remote to a new line card in an effort to change or remove an element that could be creating the issue. There are several ports on the line cards serving several customers and no other customer had reported issues in receiving or making calls. Remotes are the serving electronics that shorten the distance between the customer and the end office allowing for better service. The remote is fed by Fiber Optic cable and delivers the calls to and from the central office. It receives the calls from the central office and delivers that calls from inside the exchange boundaries or from Long Distance providers from outside our exchange boundaries. Each remote has line cards in them in order to provide the dial tone and to make and receive calls. The line cards are the electronic cards required to provide service to a customer.

On August 11, 2020, the customer called in to make changes to their banking information for bill payment. They also called in later to report that they were again having issues receiving telephone calls. Technicians tested their service at the Remote location serving the customer location. Line, equipment, electronics and service tested OK with nothing found to have blocked calls from being delivered to the customer.

On October 19, 2020, the customer called in to report that they are having trouble receiving calls to their residence. Customer stated they have no dial tone. Service was once again moved to a new line card in the remote serving the customers residence.

On December 02, 2021, customer called in to report that they are not receiving phone calls. They also stated that when they have their cordless telephone plugged in, nothing in the house works. They have 4 jack locations in the house, but only the jack in the bedroom works when the cordless telephone is unplugged. A service technician was dispatched to the customer's residence. It was found that the customers had defective inside wiring in their residence. As they had wire maintenance with Totel Customer Services, Inc., the inside wiring was repaired and replaced by the technician at no charge to the customer. Customer was also advised to stop using the cordless telephone. The technician provided the customer with a New wired telephone to use. While it is a billable item, the customer was not billed for the telephone that was left with him. No other problems were found either in the residence or within the Totah Communications, Inc. network.

On January 19, 2022, the customer called to report once again that they could not receive telephone calls, but that they can call out. As this seemed to be an ongoing issue, the trouble ticket was not closed out as to be used to continue to work with the customer to try to isolate what the problem may be in their not receiving telephone calls. The customer was asked to start a log of when he was notified by others that they tried to call him and no one answered their telephone calls. This is done so that we can try to isolate from what company those calls may be coming from. In some instances, in the past, when customers have made such complaints it has been found that the company that is to deliver the telephone call is deploying what is known as Least Cost Routers. They mean that they are using companies that employ the lowest cost in delivery. They have also been found to be the least reliable. In many instances, customers receive a ring back tone from the Least Cost Router, but the actual call does not leave their office. When Totah has been made aware of this in the past, we have contacted the service provider employing the least cost router to advise them that their calls are not being delivered. Most of the time this results in the service provider making a change and calls begin being delivered again. It should be noted that wireless providers use the least cost provider and have the most difficulty in delivering their calls.

It should also be noted that Internet Protocol (IP) is also another form of deliver that is being used more and more. These calls also have issues when trying to deliver calls to a TDM (traditional) telephone network. Again, many of these calls simply do not get delivered to the end office or the end user. IP protocol is a delivery method using the internet to deliver telephone calls. Historically, traditional telephone service has been on a line (circuit) that is connected from end to end. Internet Protocol delivers calls using packets of information instead of a call that is on a dedicated circuit. There have been a lot of issues with IP calls as they are not as reliable as established circuits between companies. Also, if the IP company doesn't have a relationship with another company to hand off calls to the Tandem office, calls simply do not get completed. To the calling party, they can have ring back tone as if they are going through, but they never get to the office serving the customer who is meant to receive the call. The technology is getting better, but the quality is not what it has been historically with dedicated circuits between carriers. Traditional telephone companies have adhered to a standard of 99.9999% service works. It is as close to 100% as can reasonably be accomplished. The testing that was being done by Totah was to try to establish if an inadequate service provider was simply dropping the calls. It takes time to track down the company serving the calling party and then track down how they deliver their calls, then do testing between companies, and finally resolve any issues that there may be. Totah never had the chance to locate the companies serving the calling party. Several years ago, Totah and a wireless

carrier resolved the problem by the wireless carrier using a different delivery method other than IP or Least Cost Routing.

For the above reasons, it is very important for the customer to try to keep a log of who has tried to call them, when, and who that customer's provider is. Is that customer a wireless entity, is it a CLEC, is it an internet company? These are all questions that need to be answered if Totah is to track down when the issue may be.

The technician who was talking to the customer could hear someone in the background making a lot of noise like there was someone on an extension listening in on the conversation. It was also reported that the customer had an old model rotary dial telephone that they were using and a cordless telephone. Cordless telephones are very susceptible to lightning strikes. Rotary dial telephones have not been in common use for many, many years. In general, they are not mass produced for use.

Mr. LaFon was also asked and agreed that Totah could put his line on CLI. CLI logs in the switch calls made to and from a customer. This allows for verification when a customer complains that they aren't getting calls, they are getting harassing calls, telephone rings and no one is there, etc... It is used in these instances to help try to pinpoint what the issue may be. It can also help to verify if the calls are getting delivered to the customer. It logs the toll trunks and electronic equipment in our network that is used to deliver the call to the customer. On the original filing, Totah provided 25 pages of calls that were made to or from Mr. LaFon. More can be provided if needs be.

On February 15, 2022, Mr. LaFon called in to report that swapping his line card did not fix his issue of not getting calls. It was verified from the CLI logs that calls were coming into Mr. LaFon and that there were also calls being initiated from the customer location. It was also noted that someone at the customer location was also dialing their own telephone number. When that happens and the customer hangs up, it will ring with no one on the other end. It could also hold up the line and make it difficult for calls coming in to be completed. More testing on the customer's line was performed. Nothing irregular was noted.

March 9, 2022, the customer called again stating that they were still having issues. The customer was asked what telephone devices they were using. The customer stated that they were using the older telephones again. They were once again asked to use the telephones that were provided by the technician when he came by previously. There was still suspicion that the older telephones may be causing a problem.

April 4, 2022, the customer called in again to report problems. A technician called the customer back at 8:50 am same day, but the customer did not answer. The call showed up on the CLI log. A field technician was dispatched to the customer location. The Central Office Technician called the customer location with the field technician using a new telephone at the Network Interface Device (NID). This is the box on the outside of the customer location. It is where the customer premise wiring and telephone company facilities meet. There is a test jack in each NID. The field technician plugged the new telephone into the NID jack and the phone rang when called. It was noted that there was a hum on the line by both technicians. A new and clean line was put in place from the NID to the customer requested location free of charge in order to have only one line in the residence in use to try to eliminate problems with the other locations. The test line and the new test telephone were installed in the bedroom.

On May 2, 2022, Mr. LaFon called in to state that they were still having problems not receiving all of their telephone calls. Two field technicians began a rehab process on the cable pairs that served from the remote to the residence location. There were no issues found, but the customer was moved to another cable pair anyway in order to try to something to eliminate Mr. LaFon's problem. On May 4, 2022, the two technicians also replaced parts in the NID at the customer location in hopes that this would also eliminate the problem. While working on the customer line and NID, it was found that the Power Company had a 2-foot section of ground wire missing from one of their power poles. The two Totah technicians repaired that 2-foot section. This removed the hum from Mr. LaFon's line. Grounding problems in general only create noise on a line they do not influence the ability to make or receive calls. This noise simply makes it difficult to hear when having a conversation. Also of note, this was a power company issue and not a telephone company issue. Our grounding and cable pairs were clean.

June 1, 2022, Mr. LaFon called in to give updates on calls being missed on May 31, 2022. The number he provided was reported to be his sister's number. The CLI report showed that she called at 8:56 am, 12:24 pm, and again at 4:03 pm on that day. Mr. LaFon stated he did not get any of those calls. He also stated that he was home during those times. He no longer had an answering machine so it could not be verified if the calls were or were not delivered to his location. He stated that he had went back to using his "old" telephones again and a cordless telephone that a friend gave to him because they did not want it anymore. Totah ordered a new answering machine for Mr. LaFon to use to see if the calls are being delivered and the telephones simply are not ringing. It was delivered and installed by the field technician on a later date at no charge for the device or the technicians time installing it.

On June 23, 2022, Mr. LaFon called to report that his sister in Bartlesville was calling his home telephone number, but he did not receive the calls. The CLI log for Sunday June 19, 2022 showed several calls from her number to Mr. LaFon's phone number. Mr. LaFon stated that he was not home and didn't know if the calls rang through or not. Mr. LaFon was asked if the answering machine showed any messages from his sister or logged any of the incoming calls as missed calls. At this point Mr. LaFon advised that his wife had removed the answering machine because she believed someone was spying on them with it. It was then communicated to Mr. LaFon that it was a very important tool to be used to try to pinpoint a problem. It was being used to try to verify if calls were coming in and if the telephones ringers weren't ringing. At this, Mr. LaFon got angry and advised that he was going to disconnect his service and file a complaint with the Kansas Corporation Commission. The Technician advised Mr. LaFon that he was certainly within his rights to file a complaint with the commission. He was asked if he actually wanted to disconnect his service. Mr. LaFon stated yes, and he was transferred to a Customer Service Representative for execution of a disconnect order. The order was created and the service was terminated on June 23, 2022. Upon the closing out of the service orders and review of the customer's bill, a pro-rata portion of his June billing will be returned for days of the month remaining that were paid in advance. This would be for days June 24, 2022 to June 30, 2022.

At no time has there been any similar indication of trouble within the network of Totah Communications, Inc. Mr. LaFon was one of 156 customers in the Tyro exchange and one of 524 customers in the network of Totah in the state of Kansas. At the time of his complaints, no other customers reported having issues with receiving calls. Also, many test calls were made from numbers in Oklahoma along with cellphones by Totah personnel. Each time, these calls went through. As Totah is an access provide in the state of Kansas, we receive access payments from other providers for delivering their phone calls to our customers. It would not be in our best interest to block or deny those calls making it to any customer. It would be in our best interest to isolate the problem and fix it.

From reading Mr. LaFon's complaint, he is asking for a full refund for 4 years of service. This simply is not an acceptable request for Totah Communications, Inc. We made numerous attempts to resolve Mr. LaFon's complaint. It is simply difficult at best to locate issues that are originating outside our network. If we were having a network issue, Mr. LaFon would not have been the only customer affected. It also likely would not have affected only incoming calls. If we were having an issue with our toll, it would have affected all our customers in Kansas as all our customers have access to the same toll facilities in our Havana Host office. Havana is the host office that all calls are routed to and from. Calls from outside our network come into the Havana office and are delivered to the customers in all our exchanges. Mr. LaFon wouldn't be the only customer with an issue. If we were having a toll calling issue, it would also affect calls leaving our network. The same toll trunks that receive calls from outside our network also deliver calls to networks outside our own. Meaning, if a customer from Tyro (a Totah Exchange) calls a customer in Independence (AT&T, a CLEC, A Wireless carrier, a VoIP carrier), those calls go from the Tyro office to the Havana office and are delivered to a point of interconnection and delivered to a customer in Independence. The same is true in the reverse. The very same facilities are two-way. Meaning that they can originate or receive calls. There has been no issue reported from AT&T or Kansas Fiber Network regarding issues with the toll facilities.

Totah provided the customer with 3 telephones to use and 1 answering machine to use. The customer kept removing them from use to use either the older telephones he had or to use a cordless telephone that was given to him by someone because they didn't want it anymore. The telephones provided to Mr. LaFon by Totah were brand new out of the box telephones as was the answering machine. Mr. LaFon was never billed for these telephones as we were trying to work with him to find a problem and provide a solution. Each time the customer decided not to cooperate. As the customer premise devices are non-regulated, there was no way for Totah to require the customer to only use what we provided. We were never able to duplicate Mr. LaFon's problem. We were never afforded the names of the carriers who were to be delivering the calls to our network. There is a practice in the industry to contact carriers if there appears to be an issue with their call delivery. As we did not know the carriers being used, we could not make contact with them to advise that they may have a problem in their call delivery. As stated earlier, we are unaware of other customers reporting the same issues as Mr. LaFon. This tends to lend itself to an issue at the customer location.

At this time, Totah does not believe that a monetary refund to the former customer is due. As shown in the CLI logs, Totah delivered calls to the customer. If the customer has a more reasonable request that 4 years of local service or ½ of that, we would be willing to entertain it. However, we see no indication of fact that would warrant Totah in making any admission of fault or inadequacy of our network or our employees.

Of note, Mr. LaFon noted in his replies that he never stated that they can't be called. This evidently refers to Totah's classification of trouble tickets, not to any statement made by the customer. "Can't be called" is an historic term used internally to create a trouble ticket when a customer has trouble receiving calls. It does not always necessarily mean that they can't receive any calls. This is so that they technicians can have an idea of what trouble they are looking for. OD is another term. It means that the service is Out of Order, meaning that a customer's service isn't working at all. Static is also a term used. It means that a customer has heard static on their line. Hum is also a trouble term. It means that a customer has heard a hum on their line. Other than OD, none of the terms are an absolute meaning that it is an all the time occurrence.

Mr. LaFon's statement in Note 1 is incorrect. Totah does not and did not change his number in hopes that it would fix a problem receiving calls. The number was different because he had ported his original number to Verizon.

His note 2 is correct in that we do advise customers when they are having issues receiving calls from outside our network, the calling party needs to also talk with their carrier to see if there is a reason on their end why a call may not have completed. We have found in the past that Long Distance Carriers, Cellphone companies, CLECs and other companies employing "Least Cost Routing Carriers" to deliver calls aren't fulfilling their obligation to deliver the calls to the Tandem that hand the calls off to Totah and other ILECs. In many cases, when we make the complaint the issue goes away for 6 months or so.

Mr. LaFon's note 3 is also incorrect. Totah has not issued rotary dial phones for the last 30 + years. Anytime we issue a telephone it is a touchtone phone.

Mr. LaFon's Note 4 affirms our statement of requesting information and logs for calls.

Mr. LaFon's Note 5 affirms that there were calls made from their phone to their phone number. When a customer does this and doesn't hang up the telephone properly, it will hold the line up like they are on the telephone because it is in use. With call waiting on the line, it can ring on the calling party end and not ring on the called party end because it appears that they are already on the telephone. The switch sends a tone to the receiver of the telephone to notify that there is a call waiting call being delivered.

Mr. LaFon's Note 6 affirms that Mr. LaFon was difficult to get to understand that we were working on his problem and that we were providing known good equipment to use. By taking out the equipment we provided, we have no way of knowing if it is the equipment or if it is something in our network. We specifically asked that the customer use what we provided in order to eliminate a piece of the problem.

Mr. LaFon's Note 7: The hum was a result of the electric company missing a 2 foot section of their ground wire. When Totah technicians found this, they repaired it and the hum went away. This was a power company issue. Without proper grounding of Power and/or telephone a state of imbalance occurs. This causes a hum on a telephone line. It does not however affect the ability to make or receive calls. It simply causes issues with the ability to hear when a call is made or received.

Mr. LaFon's Note 8: Again, we were not able to duplicate the problem.

Mr. LaFon's Note 9: The 2 ft of missing ground wire was not at Mr. LaFon's residence. It was on our cable route that the Power company also has power lines on. As we both generally use the County R/W to place our facilities, we have a lot of the same routes. This is why it requires proper grounding of power and telephone facilities.

Mr. LaFon's Note 10: The telephones that are issued by Totah are either wall mountable or desk top telephones. They have short cords for the wall mount or 7 foot base cords when used as a desk phone. Again, there is a process we must go through to try to pinpoint the problem. Each time Mr. LaFon changed something, we had to start all over again.

Mr. LaFon's Note 11: It is not an issue for them to answer the telephone as we were trying to pinpoint if the calls were coming in to the residence. If Mr. LaFon answered the call, that meant they were receiving calls. If he did not and it didn't get to the answering machine, that meant that the calls were

not delivered. We could then compare to our Switch log to see if the calls came to us from another carrier or not. If not, then we could contact that carrier to work with them as to why they were not delivering calls to our network. Again, working on this kind of trouble takes time to pinpoint.

Mr. LaFon's Note 12: As for this complaint, we do not show trouble for 4 years. As stated earlier, we have logged trouble tickets for the days listed in our original response. As is the practice in the industry and shown in our trouble reports as reported to the KCC, when a customer calls our main office, we log a trouble ticket for their complaint. As was shown with Mr. LaFon, we logged trouble tickets when he called our main office and reported trouble. We have Customer Service Reps who take the calls from customers and log the trouble ticket in our customer reporting system. The Service Technician then works on the trouble tickets to clear the trouble. To clear it out of our system, they must enter a trouble code. On Mr. LaFon's instance, we left the last trouble ticket open for months trying to work with him to find the real reason for his trouble. Each time he called in, we made a note on the trouble system as to the date he called and what he was reporting. As for speaking to anyone else, Mr. LaFon makes statements of having talked with Adam and Scott. As is standard practice in the industry, companies employ customer service representatives along with after-hours services in order to take customer complaints, make payment arrangements, inquiries, etc... It is not a general practice to hold service technicians from field duties simply to be waiting on customer calls. This would be inefficient. Service Technicians in general talk with customers when they are working on installs or trouble requests. Scott and Adam did talk with Mr. LaFon. The remarks regarding to other former customers have no bearing on this issue as they do not appear to be issues regarding being able to receive phone calls. In fact, one references internet which is not a regulated service. As for the final comment, the technicians did walk and test Mr. LaFon's line. That is when it was found to have a problem at the power pole where the power company was missing a 2 foot section of their power ground. That was repaired. The lines tested with no trouble after the power ground was re-established. The cable is not brittle. However, since telephone cable is not the only facility in the ground, it can get damaged from other companies and people digging without proper cable locate requests. This is what the technicians would have been referring. If a cable is damaged, ground movement from the soil compacting and expanding can cause an issue in that instance. Upon inspection and testing, nothing was found to have been disturbed by others or nature.

Our review of the customer complaint in this matter shows Totah's performance above and beyond reasonable service requirements. The absence of calling issues with any other customer in the exchange supports Totah's belief that the problems reported by the customer are due to customer choice in using particular premises equipment and in cooperating with the company as we attempted to satisfy his concerns. Totah asks the Commission to find there has been no failure of performance by the company, and that the customer complaint should be dismissed.