

**TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES**  
**CHAPTER 11 TELECOMMUNICATIONS**  
**PART 24 QUALITY OF SERVICE STANDARDS APPLICABLE TO MID-SIZE CARRIERS**

**17.11.24.1 ISSUING AGENCY:** New Mexico Public Regulation Commission.  
[17.11.24.1 NMAC - N, 4-1-2006]

**17.11.24.2 SCOPE:** This rule applies to all mid-size carriers.  
[17.11.24.2 NMAC - N, 4-1-2006]

**17.11.24.3 STATUTORY AUTHORITY:** NMSA 1978 Sections 63-9A-5.1 and 63-9A-5.2.  
[17.11.24.3 NMAC - N, 4-1-2006]

**17.11.24.4 DURATION:** Permanent.  
[17.11.24.4 NMAC - N, 4-1-2006]

**17.11.24.5 EFFECTIVE DATE:** April 1, 2006, unless a later date is cited at the end of a section.  
[17.11.24.5 NMAC - N, 4-1-2006]

**17.11.24.6 OBJECTIVE:** The purpose of this rule is to establish quality of service standards applicable to mid-size carriers.  
[17.11.24.6 NMAC - N, 4-1-2006]

**17.11.24.7 DEFINITIONS:** As used in this rule:

A. access line means a dial tone line that provides local exchange service from a mid-size carrier's switching equipment to a point of termination at the customer's network interface;

B. basic services means retail telecommunications services that provide residence or business customers with an individual primary line providing voice grade access to the public switched network;

C. circumstances beyond a mid-size carrier's control are limited to:

- (1) failure to obtain necessary rights-of-way or permits despite the filing of timely applications;
- (2) extraordinary weather and other acts of God; or
- (3) supplier issues, vendor issues, and work stoppages;

D. customer means any person that has applied for or is currently receiving telecommunications services;

E. designed services means the provisioning of end user tariffed circuits requiring special treatment, special equipment, or special engineering design; examples include PBX trunks, rotary lines, DDS, DS-1, DS-3, ISDN-BRI, and special assemblies;

F. designed services held order means an order for designed services where facilities are not available that is not provisioned within forty-five calendar days after the receipt of the customer's order or within forty-five calendar days after the customer's requested service date; an order shall not be considered a held order if the customer was the cause of the delay;

G. held order means an order for a basic service placed by a customer whose premises are within one thousand feet of an existing terminal or pedestal, which, due to a lack of facilities, is not completed within thirty days after the receipt of the order (or within thirty days after the customer's requested service date, where the customer requested a date more than five days after submission of the order); an order shall not be considered a held order if the customer was the cause of the delay;

H. mid-size carrier means any telecommunications company with more than fifty thousand but less than three hundred seventy-five thousand access lines in New Mexico;

I. non-basic services means retail telecommunications services that are not a basic service, a switched access service or a wholesale service governed by an interconnection agreement;

J. out-of-service trouble report is a report from a customer of an inability to receive or place calls on an access line due to lack of dial tone or severe noise that prevents effective communication;

K. repeat trouble report is a network trouble report on an access line within thirty days of a closed trouble report concerning the same problem on the same line;

L. telecommunications company means a person that provides public telecommunications service;

M. trouble report means notification of trouble or perceived trouble by a customer, third party, or employee acting on behalf of a customer to a mid-size carrier's repair office, including trouble reported on the access lines of the mid-size carrier's retail customers, but not including troubles associated with a customer's unfamiliarity with new features or customer premises equipment, or extraordinary or abnormal conditions of operation.

[17.11.24.7 NMAC - N, 4-1-2006]

**17.11.24.8 REPORTING REQUIREMENTS AND SERVICE STANDARDS:** For each requirement in this section of the rule, a mid-size carrier shall compile service quality data on a monthly basis by wire center or exchange, as specified, and statewide. A mid-size carrier shall prepare each report of its data for the commission in printed format and in electronic spreadsheet format, listing each wire center or exchange, as specified, alphabetically by name. Within thirty days after the end of each calendar year, a mid-size carrier shall file its service quality report with the commission. Delays caused by customers may be excluded from a mid-size carrier's calculations.

A. Held orders - basic services.

(1) Service standards. A mid-size carrier's annual held order rate for basic services shall not exceed .035%. A mid-size carrier shall notify each customer affected by a held order of the projected service date for that order.

(2) Annual reporting requirements. The annual held order rate shall be the average of the monthly held order rates. The monthly held order rate shall be calculated as the number of a mid-size carrier's held orders for basic service lines as of the last day of the month, excluding orders for which waivers have been granted, expressed as a percentage of the total number of the mid-size carrier's access lines in service at the end of the month. A mid-size carrier shall report annually for each wire center and statewide:

- (a) the number of held orders;
- (b) the number of total access lines;
- (c) the number of held orders expressed as a percent of total access lines;
- (d) the number of held orders excluded from the calculations;
- (e) the number of held orders pending for more than one hundred eighty days, excluding

designed services; and

- (f) the number of unfilled orders for designed services pending for more than one hundred

eighty days.

(3) Reporting of unfilled orders when construction cannot be completed due to circumstances beyond mid-size carrier's control. Within thirty days of the end of the month in which the mid-size carrier incurs a held order that is not filled because the mid-size carrier must undertake construction of facilities in order to provide the requested service, and such construction cannot be completed in compliance with the held order standard due to circumstances beyond the mid-size carrier's control, the mid-size carrier shall file a report to the commission with the following information:

- (a) order number;
- (b) wire center;
- (c) application date;
- (d) requested date of service;
- (e) the circumstances beyond the mid-size carrier's control that have caused the order to be

delayed;

(f) explanation of what steps the mid-size carrier has taken within the thirty-day period since the order was received to overcome the circumstances beyond the mid-size carrier's control;

- (g) the date the customer notification letter was sent;
- (h) job number; and
- (i) an affidavit from a manager having direct knowledge of the conditions leading to the mid-

size carrier being unable to provide service for the orders on the list.

(4) Waivers. Upon the filing of a report pursuant to Paragraph (3) of Subsection A of 17.11.24.8 NMAC, the mid-size carrier is granted a waiver exempting any order that is the subject of a report from the reporting requirements of Paragraph (2) of Subsection A of 17.11.24.8 NMAC. Waivers are granted for up to one year from the report filing date. At the end of the one-year period, the mid-size carrier must remove the order from the waivers list and the order shall be subject to the applicable basic services installation interval standards and reporting requirements.

B. Installation of basic services.

(1) Service standards. A mid-size carrier's annual installation rate for basic services shall be at least ninety-six percent of basic service requests provisioned within five working days of the date such requests were received or by such later dates as requested by customers.

(2) Reporting requirement. A mid-size carrier shall report annually for each exchange and statewide the percent of service requests for basic services that were provisioned within five working days of each service request date or by such later dates as requested by customers. Held orders shall not be included in the calculations.

C. Installation of designed services.

(1) Service standards.

(a) Within three working days of receipt of a customer's request for designed services, a mid-size carrier shall inform the customer whether necessary facilities are available to provision the service.

(b) Where facilities are available, no less than eighty-five percent of service requests for designed services shall be provisioned within fifteen calendar days of the dates such requests were received or by the dates requested by customers, whichever is later.

(c) Where facilities are not available, no less than eighty-five percent of service requests for designed services shall be provisioned within forty-five calendar days of the dates such requests were received or by the dates requested by customers, whichever is later.

(2) Annual reporting requirements. A mid-size carrier shall report annually for each exchange and statewide the percent of requests for designed services provisioned within fifteen working days, where facilities are available, and within forty-five days, where facilities are not available, for each month in the year. The reported percent of requests shall be a twelve-month average percent calculated using twelve months of data in the calendar year. Wholesale orders for designed services and designed services orders involving third parties may be excluded from the calculations.

(3) Reporting of unfilled orders when construction cannot be completed due to circumstances beyond mid-size carrier's control. Within thirty days of the end of the month in which a mid-size carrier incurs a designed services held order that is not filled because the mid-size carrier must undertake construction of facilities in order to provide the requested service, and such construction cannot be completed in compliance with the held order standard due to circumstances beyond the mid-size carrier's control, the mid-size carrier shall file a report to the commission with the following information:

- (a) order number;
- (b) wire center;
- (c) application date;
- (d) requested date of service;
- (e) the circumstances beyond the mid-size carrier's control that have caused the order to be

delayed;

(f) explanation of what steps the mid-size carrier has taken within the forty-five day period since the order was received to overcome the circumstances beyond the mid-size carrier's control;

- (g) the date the customer notification letter was sent;
- (h) job number; and

(i) an affidavit from a manager having direct knowledge of the conditions leading to the mid-size carrier being unable to provide service for the orders on the list.

(4) Waivers. Upon the filing of a report pursuant to Paragraph (3) of Subsection C of 17.11.24.8 NMAC, the mid-size carrier is granted a waiver exempting any order that is the subject of a report from the reporting requirements of Paragraph (2) of Subsection C of 17.11.24.8 NMAC. Waivers are granted for up to one year from the report filing date. At the end of the one-year period, the mid-size carrier must remove the order from the waivers list and the order shall be subject to the applicable basic services installation interval standards and reporting requirements.

D. Trouble reports.

(1) Service standard. A mid-size carrier's annual trouble report rate shall not exceed five reports per month per one hundred access lines in service.

(2) Reporting requirements. A mid-size carrier shall report annually for each wire center and statewide the percent of access lines for which trouble reports were received during each month in the year.

E. Out-of-service trouble reports.

(1) Service standard. A mid-size carrier's annual out-of-service rate shall be at least eighty-five percent of out-of-service trouble reports cleared within twenty-four hours.

(2) Reporting requirements. A mid-size carrier shall report annually for each wire center and statewide the number of access lines for which out-of-service trouble reports were received during each month in the

year and the percent cleared each month. Out-of-service trouble reports received after 4:00 p.m. Monday through Friday shall be deemed as received at 8:00 a.m. the following business day.

F. Repeat trouble reports.

(1) Service standard. A mid-size carrier's annual repeat trouble report rate shall not exceed eighteen percent of total monthly trouble reports.

(2) Reporting requirements. A mid-size carrier shall report annually for each wire center and statewide the percent of access lines for which repeat trouble reports were received during each month in the year.

[17.11.24.8 NMAC - N, 4-1-2006]

**17.11.24.9 OUTAGES:**

A. Initial outage report. A mid-size carrier shall report outages lasting longer than one hour and affecting more than one thousand five hundred customers to the consumer relations division of the commission by telephone, facsimile, email, or in person within ninety minutes of the onset of the outage or, for outages not occurring during business hours, at the start of the next business day.

B. Subsequent outage report. A mid-size carrier shall submit a subsequent written report stating the location, duration, number of customers affected, cause and corrective action taken. Both the initial and subsequent outage reports shall state whether 911 circuits were affected.

C. Quarterly outage reports. A mid-size carrier shall file quarterly a record of each outage in the preceding three months for which the mid-size carrier was unable to provide emergency service and an explanation of why emergency service was unavailable.

[17.11.24.9 NMAC - N, 4-1-2006]

**17.11.24.10 PROVISION OF SERVICE DURING MAINTENANCE OR EMERGENCIES:**

A. Emergency procedures. Each mid-size carrier shall establish and instruct its employees regarding procedures for preventing or mitigating interruption to or impairment of telecommunications service in emergencies resulting from power failures, sudden and prolonged increases in traffic, illness of operators, fire, storm, or acts of God. Mid-size carriers shall file written plans detailing their emergency procedures with the telecommunications bureau of the commission within sixty days after certification by the commission or adoption of this rule, whichever is later. Any changes to the plan shall be filed with the telecommunications bureau of the commission within thirty days of the change.

B. Reserve power requirements. Mid-size carriers shall maintain in each local central office, toll switching office, and tandem switching office a minimum of four hours of battery reserve rated for peak traffic load requirements and shall:

(1) install a permanent auxiliary power unit in toll and tandem switching offices and in central offices serving ten thousand or more access lines; and

(2) have available a mobile power unit which normally can be delivered and connected within four hours for central offices serving fewer than ten thousand access lines.

C. Maintenance scheduling. Mid-size carriers shall schedule maintenance requiring extended service interruptions when it will cause minimal inconvenience to customers and, to the extent possible, shall notify customers in advance of extended service interruptions. Mid-size carriers shall make emergency service available in any area that experiences service interruptions affecting one thousand or more access lines and lasting more than four hours between the hours of 8:00 a.m. and 10:00 p.m. If a mid-size carrier cannot provide emergency service during such a scheduled maintenance period, it shall file a report of the occurrence with the telecommunications bureau of the commission.

D. Loss of switch plan. Each mid-size carrier shall develop a contingency plan to prevent or minimize service interruptions due to the loss of a central office switch that serves more than ten thousand access lines or is the toll or tandem switching office for more than ten thousand access lines. The plan shall describe the actions and systems installed to prevent or minimize the probability of such an occurrence as well as the actions and systems available to minimize the extent of any incurred service interruption. Mid-size carriers shall file the plans with the telecommunications bureau of the commission within sixty days after certification by the commission or after adoption of this rule, whichever is later. Any changes to the plan shall be filed with the telecommunications bureau within thirty days of the change.

[17.11.24.10 NMAC - N, 4-1-2006]

**17.11.24.11 ACCESS TO AND AUDIT OF DATA:** Unless otherwise authorized by the commission, a mid-size carrier shall make all records required by this rule available to the commission or its authorized representative at

any time upon request. A mid-size carrier shall make customer proprietary network information available to the commission to the extent allowed by law. A mid-size carrier shall retain records of reports, measurements, summaries, and backup information for at least two years. A mid-size carrier's service quality data shall be subject to periodic audit by the commission.

[17.11.24.11 NMAC - N, 4-1-2006]

**17.11.24.12 LINE EXTENSION:** Each mid-size carrier shall file, pursuant to 17.11.24.16 NMAC, a tariff describing its line extension policy and any subsequent modifications to its line extension policy.

[17.11.24.12 NMAC - N, 4-1-2006]

**17.11.24.13 TIMELY RESPONSE BY CUSTOMER SERVICE REPRESENTATIVES:**

A. Service standards. A mid-size carrier's business offices and repair centers shall answer ninety percent of calls within twenty seconds. If a carrier uses an automatic response system, the system shall answer ninety-five percent of calls within fifteen seconds of the customer's selection or within forty seconds if the customer does not make a selection. A mid-size carrier shall ensure that no more than one percent of calls to its business offices reach a busy signal and that no more than one percent of calls to its repair centers reach a busy signal.

B. Reporting requirement. A mid-size carrier shall file an exception report within twenty-one calendar days of the end of any month in which it failed to meet any of the standards set forth in 17.11.24.13(A) NMAC. The report shall identify each offending repair center or business office, the percent of calls answered, the percent of calls reaching a busy signal, the reason for failure to meet the respective standard, the remedial action taken by the mid-size carrier, and any known results of that remedial action.

[17.11.24.13 NMAC - N, 4-1-2006]

**17.11.24.14 DIRECTORY ASSISTANCE AND INTERCEPT:**

A. Service standard. A mid-size carrier shall list basic service customers (except those customers requesting otherwise) in the directory assistance database within twenty-four hours of service connection, except during times of regular maintenance, in which case the listing shall occur within forty-eight hours of service connection.

B. Errors in listing. If a mid-size carrier makes an error in the listed number or name of any customer, then until a new directory is published, the mid-size carrier shall make, at no charge to the customer, whatever special arrangements are necessary and reasonable to ensure that calling parties are able to reach the customer whose listed number or name is in error. If a mid-size carrier makes an error in the listed number, name or address of any customer, the mid-size carrier shall place the customer's correct name, address and telephone number in the files of the directory assistance and intercept operators within seventy-two hours of confirmation of the error.

C. Intercept service. When a customer's telephone number is changed at the request of the customer after a directory is published, the mid-size carrier shall provide intercept service for all calls to the former number for the lesser of sixty days or until a new directory is issued. If the change is made at the initiative of the mid-size carrier, the mid-size carrier shall provide intercept service for the former number at no charge to the customer for the greater of sixty days or the remaining life of the current directory. The mid-size carrier shall provide the correct number to its information operator within twenty-four hours of the number change (except during times of regular maintenance, in which case the listing shall occur within forty-eight hours of service connection) or send it to the carrier providing information operator service within twenty-four hours if the local exchange carrier does not provide its own service. The mid-size carrier intercept recording shall state how the caller can obtain the new number.

[17.11.24.14 NMAC - N, 4-1-2006]

**17.11.24.15 WAIVERS:** Pursuant to NMSA 1978 Section 63-9A-5.1(H), a mid-size carrier may petition the commission for a waiver of this rule for good cause shown.

[17.11.24.15 NMAC - N, 4-1-2006]

**17.11.24.16 TARIFFS:** A mid-size carrier may propose changes to terms and conditions in its tariffs related to this rule by filing with the commission a notice and tariff sheets reflecting the modified terms and conditions. The modified terms and conditions shall become effective ten days after a mid-size carrier files such commission notice and tariff sheets, unless the commission suspends the mid-size carrier's proposed tariffs.

[17.11.24.16 NMAC - N, 4-1-2006]

**17.11.24.17 REVIEW AND REPORT TO LEGISLATURE:** Two years after the effective date of this rule, the commission and any mid-size carrier shall independently review the provisions of this rule and, subsequently, shall report their findings to the legislature. All or part of such findings may be reported to the legislature either jointly or separately.

[17.11.24.17 NMAC - N, 4-1-2006]

**HISTORY OF 17.11.24 NMAC:** [RESERVED]