

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 22, 2003

PETITION OF

NORTHERN VIRGINIA UTILITY
PROTECTION SERVICE, INC.

and

CASE NO. PUE-2002-00421

VIRGINIA UNDERGROUND UTILITY
PROTECTION SERVICE, INC.

For waiver and extension of time

APPLICATION OF

NORTHERN VIRGINIA UTILITY
PROTECTION SERVICE, INC.

and

CASE NO. PUE-2002-00525

VIRGINIA UNDERGROUND UTILITY
PROTECTION SERVICE, INC.

For approval of notification
call center performance standards

ORDER ADOPTING NOTIFICATION CENTER PERFORMANCE
STANDARDS AND DISMISSING PROCEEDING

On August 5, 2002, Northern Virginia Utility Protection Service, Inc. ("NVUPS"), and the Virginia Underground Utility Protection Service, Inc. ("VUUPS") (collectively, "Notification Centers" or the "Applicants") filed a Petition with the State Corporation Commission ("Commission") requesting a waiver of Rule 20 VAC 5-300-90 A 6 of the Commission's Rules governing certification, operation, and maintenance of notification center or centers ("Rules"). This Rule requires a center currently

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holding a certificate from the Commission to seek approval from the Commission of the center's proposed performance standards within 60 days of June 7, 2002; i.e., by August 6, 2002.

On August 14, 2002, the Commission issued its "Order on Waiver and Request for Extension of Time" in Case No. PUE-2002-00421. In that Order, among other things, the Commission directed NVUPS and VUUPS to file their proposed performance standards with the Commission by no later than September 5, 2002. Ordering Paragraph (2) of the August 14, 2002, Order provided that a separate docket be established for review of these performance standards when they were filed. The August 14, 2002, Order also directed that NVUPS file on or before September 5, 2002, the performance standards for its current vendor and itself for approval by the Commission.

On September 5, 2002, NVUPS and VUUPS filed their proposed performance standards with the Commission for approval. As part of their performance standards, the Applicants advised that they have recently created Virginia Utility Protection Service, LLC ("VUPS"), to provide primary notification center services for NVUPS and VUUPS. The documents filed in support of the performance standards advised that VUPS began providing primary notification services for VUUPS on July 1, 2002, and that it is anticipated the same center will provide primary notification center services for NVUPS beginning July 1, 2003.

The Applicants submitted three performance standards as a means of measuring their minimum standards of performance:

INDEX	PROPOSED PERFORMANCE STANDARD
Average Speed of Answer	45 seconds
Percent of Abandoned Calls	5% or less on calls with an average delay in queue greater than 60 seconds
Busy Signal Rate	Not to exceed more than 2% of total incoming call volumes

As explained by the Notification Centers, performance data will be accumulated and averaged over a calendar month and will apply only to incoming "live" calls for locate requests. Other calls will not be tracked for reporting purposes. The Applicants explained that the average speed of answer ("ASA") will be calculated from the time a caller completes an option from the initial automated attendant until a "live" operator is available to assist the caller. In the event an automated attendant is not utilized, the ASA will begin at the time the call arrives at the center's call switch. Any additional time required due to internal transfers of an incoming call, prior to determining the nature of the call, will be part of the calculation for the ASA. The ASA will be calculated during regular business hours 7:00 a.m. to 5:00 p.m. on business days (which excludes weekends and state and federal holidays). The

Applicants explained that their proposed performance standards were designed for normal center operations.

In addition to the foregoing indices, the Applicants proposed certain procedures relative to measuring customer satisfaction and also addressed the frequency and periods for which reports concerning the Notification Centers' performance would be filed with the Commission.

On October 23, 2002, the Commission issued its procedural Order, docketing the performance standards and accompanying cover letter as Case No. PUE-2002-00525. The October 23, 2002, Order prescribed the notice to be published by the Applicants; directed the Applicants to serve a copy of their proposed performance standards and the procedural Order on their respective current vendors providing primary notification center services and local officials; invited interested parties to file comments or requests for hearing on the proposed performance standards; and directed the Staff to file a report on the proposed standards. This Order also directed the Applicants to file proof of the publication and service required by the Order on or before December 30, 2002.

On November 8, 2002, the Applicants filed a joint "Motion to Amend Procedural Order" ("Motion"). In that Motion, the Notification Centers, by counsel, requested that the October 23, 2002, Order be amended to permit the publication of a

"classified" version of the prescribed notice without graphics and asked that the time for filing responses to written interrogatories be lengthened.

On November 13, 2002, the Commission entered its Order on the Applicants' Motion in Case No. PUE-2002-00525. In its Order, the Commission authorized the Notification Centers to cause the notice prescribed by Ordering Paragraph (9) of the October 23, 2002, Order to be published on or before November 19, 2002, as classified advertising without graphics on one occasion in major newspapers of general circulation throughout the Commonwealth. The Commission also amended Ordering Paragraph (10) of the October 23, 2002, Order to require that the Notification Centers serve copies of their proposed performance standards, the October 23, 2002, Order, and the Order on Motion on their current vendors providing primary notification center service and on local governmental officials. Further, the Commission extended the time for filing responses to written interrogatories from five (5) calendar days to fourteen (14) calendar days after the receipt of such interrogatories.

On December 30, 2002, NVUPS and VUUPS, by counsel, filed their proof of publication and service, as required by the Commission's October 23, 2002, and November 13, 2002, Orders.

On December 11, 2002, Columbia Gas of Virginia, Inc. ("Columbia"), filed its Notice of Participation in this matter. Columbia advised that it did not intend to submit comments and reserved its right to participate fully in the proceeding. Columbia did not request a hearing but reserved its right to participate if a hearing were convened. No comments or other notices of participation were filed.

On December 23, 2002, the Staff filed its Report in this matter. In its Report, the Staff noted that the Applicants request approval of an ASA of 45 seconds and that this ASA is higher than the 30 seconds or less recommended by the Common Ground Study of One-Call System and Damage Prevention Report issued in 1999, by the U.S. Department of Transportation ("Common Ground Report"). Staff did not object to a proposed ASA of 45 seconds as a short-term performance level that the centers should not exceed in light of the intentions of VUUPS and NVUPS to use VUPS to provide primary notification service to the entire State, beginning July 1, 2003. Even with its planned preparation, VUPS could not predict precisely how much the transition to serving NVUPS' geographic service territory will impact its performance. Staff recommended that the Commission approve an ASA performance standard not to exceed 45 seconds through October 31, 2003. According to Staff, beginning

November 1, 2003, the Notification Centers should be directed to achieve an ASA of 30 seconds or less.

Staff also addressed the abandoned call rate measure of performance; i.e., a rate that identifies the number of calls abandoned and how long callers waited before they hung up. The Notification Centers proposed to adopt the Common Ground Report standard, which is an abandoned call rate of less than five percent by callers that waited more than 60 seconds. Staff did not object to adoption of the Common Ground Report standard for this index.

Additionally, Staff considered the Busy Signal Rate index proposed by the Applicants. This index measures how many of those who called the notification center received a busy signal. According to the Staff Report, the Common Ground Report recommends that the busy signals received by callers in a notification center not exceed one percent of the total incoming call volume. The Applicants proposed a busy signal rate of not more than two percent generally for the reasons discussed relative to their proposed ASA standard. Staff did not object to the use of a Busy Signal Rate performance index not to exceed two percent of total incoming call volumes through October 31, 2003. Effective November 1, 2003, Staff recommended that the Commission approve a Busy Signal Rate performance index not to

exceed one percent of total incoming call volumes for the Notification Centers.

On the issue of customer satisfaction standards, the Staff noted that these standards measure how satisfied the users of the centers are with the service they receive. According to Staff, the Common Ground Report recommends a ninety-nine percent customer satisfaction rate. As Staff notes, the Notification Centers do not propose a specific customer satisfaction rate. Instead, they propose to attend damage prevention meetings and provide an opportunity for participants to identify and discuss their issues and needs with the Notification Centers. According to the Applicants, by attending and listening to the discussions and suggestions at these meetings, the centers can improve their performance. The Notification Centers also propose to conduct surveys at the Local Damage Prevention Committee meetings to critique call center performance. They propose to submit the survey results from attendees to the Commission on a quarterly basis.

In addition to the proposed actions by the Notification Centers to gauge customer satisfaction, Staff recommended that the Notification Centers prepare and follow a written complaint tracking and resolution procedure that will assist the centers in tracking issues, problems, and complaints received and the actions taken to resolve these matters. Staff also proposed

that the Notification Centers design a survey form and provide it to the attendees of the damage prevention meetings; i.e., Local Damage Prevention Committees, Advisory Committee, and user group meetings, to allow attendees to bring issues and problems to the centers in a more formal and organized fashion.

Finally, Staff recommended that the centers conduct periodic surveys of callers to determine customer satisfaction. In order to determine the Customer Satisfaction Rate, the centers should be required to develop and follow a statistically valid sampling program acceptable to Staff for such periodic surveys. Staff recommended that the Notification Centers should be required to achieve at least a ninety-nine percent Customer Satisfaction Rate, as recommended by the Common Ground Report.

Staff commented on the frequency for the Notification Centers' submission of periodic reports to the Commission. It noted that Rule 20 VAC 5-300-90 C 18 requires a Notification Center to provide to the Commission periodic reports, no less frequently than once a quarter, detailing the various performance standards attained by the center. This Rule also requires the center to compare its performance to the standards found in the Common Ground Report in effect at the time of the report. VUUPS and NVUPS propose to submit written quarterly reports to the Commission detailing the respective Notification Center's performance for the following periods: (i) January 1 -

March 31; (ii) April 1 - June 30; (iii) July 1 - September 30; and (iv) October 1 - December 31. According to the Applicants, these reports would be postmarked or e-mailed no later than the 15th of the month following the end of each quarter. Staff did not object to the proposed reporting frequency for periods of normal operation of the Notification Centers.

By letter dated January 10, 2003, NVUPS and VUUPS advised that they have received the Staff Report and were prepared to implement the performance standards as recommended by the Staff, including the additions recommended by the Staff to these standards. The Notification Centers also noted that they were authorized by counsel for Columbia to state that Columbia does not object to the recommendations set out in the Staff's Report.

NOW, UPON CONSIDERATION of the foregoing, the Commission is of the opinion and finds that the recommendations set out in the December 23, 2002, Staff Report should be adopted; and that there being nothing further to be done in Case No. PUE-2002-00421 and PUE-2002-00525, these dockets should be dismissed from the Commission's docket of active proceedings.

Accordingly, IT IS ORDERED THAT:

(1) The recommendations set out in the December 23, 2002, Staff Report are hereby adopted.

(2) The Notification Centers' proposed ASA performance standard not to exceed 45 seconds shall be approved through

October 31, 2003. An ASA performance standard not to exceed 30 seconds shall be approved as a performance measure for the Applicants, effective November 1, 2003.

(3) The Notification Centers' proposed Abandoned Call Rate index of performance of five percent or less by callers that waited more than 60 seconds is hereby approved.

(4) The Notification Centers' proposed Busy Signal Rate measure of performance not to exceed two percent of the total incoming call volumes shall be approved for performance through October 31, 2003. A Busy Signal Rate measurement of performance not to exceed one percent of total incoming call volumes shall be approved effective November 1, 2003.

(5) The Customer Satisfaction Standards proposed by the Applicants are accepted with the following additions: (1) the Notification Centers shall develop a statistically valid sampling program acceptable to Staff, for periodic surveys of callers to determine their Customer Satisfaction Rate; (2) the Notification Centers shall prepare and follow a written complaint tracking and resolution procedure to assist the Notification Centers in tracking issues, problems, and complaints, and the actions taken to resolve the same; and (3) the Notification Centers shall design a survey form and provide the form to attendees of the various damage prevention meetings

to allow attendees to bring issues and problems to the attention of the Notification Centers.

(6) The Notification Centers shall achieve at least a ninety-nine percent Customer Satisfaction Rate, as recommended by the Common Ground Report.

(7) Each Notification Center shall submit written reports to the Commission detailing the Notification Center's performance for the periods January 1 - March 31; April 1 - June 30; July 1 - September 30; and October 1 - December 31, for periods of normal operation. These reports shall be postmarked or e-mailed no later than the 15th of the month and shall be directed to the Director of the Division of Utility and Railroad Safety on behalf of the Commission.

(8) There being nothing further to be done herein, Case Nos. PUE-2002-00421 and PUE-2002-00525 shall be dismissed from the Commission's docket of active proceedings, and the papers filed therein made a part of the Commission's files for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Guy T. Tripp, III, Esquire, and Renata M. Manzo, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; John C. McGranahan, Jr., Esquire, Hunton & Williams, 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102; Gregory Wade,

Registered Agent for One Call Concepts, Inc., 616 North Washington Street, Alexandria, Virginia 22314; James S. Copenhaver, Esquire, Senior Attorney, NiSource Corporate Services Company, 9001 Arboretum Parkway, Richmond, Virginia 23235; David C. Keenan, Senior Attorney, NiSource Corporate Services Company, 200 Civic Center Drive, Columbus, Ohio 43215; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; and the Commission's Office of General Counsel and Division of Utility and Railroad Safety.