

Formal Complaint filed with the Idaho Public Utility Commission regarding Fredric Quinto, telephone customer v. Ziplly Fiber Northwest LLC. , telephone provider.

CASE NO . VZN-T-23-01

Citation of Proper Authority-

Dear Idaho PUC,

I, Fredric Quinto on this date, March 8, 2023 would like to file a FORMAL COMPLAINT against Ziplly Fiber Northwest LLC following a concerted and continuing effort to NOT PERMANENTLY repair my phone service. I continue to have static on my phone and experience regular outages on my phone service which is my only means of emergency or outside contact. I have included my recent INFORMAL COMPLAINTS (One informal complaint and an amended informal complain) that have not been addressed to this point.

Ziplly Fiber has violated IDAPA Rule 500 section 01, subsection a. and have refused to repair my “Broken, damaged or deteriorated equipment” and have NOT “promptly repaired or replaced” my telephone service line. Their TEMPORARY repairs have been ongoing for three years now resulting in a TEMPORARY service ran above ground on a fence that constantly fails when I have wet weather or heavy snow thus cutting me off from emergency services.

The relief desired is for the Idaho PUC to hold Ziplly Fiber Northwest LLC accountable to their tariffs and PERMANETLY install a new service line so I do not have to keep experiencing poor service and emergency outages that take several days to fix every time.

Exhibit #1- Informal Complaint on 10/31/22 (attached)

Exhibit #2- Record Document, Resolution Finding 11/31/22 (attached)

Exhibit #3- Complainant’s Request to amend IPUC Resolution Record Document (attached)

This formal complaint is based on an Informal Complaint filed 10/31/2022 culminating in a Resolution Finding Record dated 11/31/2022. The substance of my initial Complaint was that my telephone provider Ziplly Fiber LLC. has REFUSED to provide permanent telephone service to my residence despite numerous repairs calls spanning a 3 year time frame.

An examination concerning the issue was conducted by IPUC investigator Chris Hecht through Email interviews with Ziplly Fiber designated agents resulting in a “No Actionable Item Determination”. It is the opinion of Chris Hecht that the INDEFINITE TEMPORARY SERVICE I AM RECEIVING IS ACCEPTABLE.

Since the “No Actionable Item Determination” on 11/31/2022 my phone service failed 3 more times. The last time was 2/23/2023 to 2/27/2023. I’m going into my 85<sup>th</sup> year of life and not in the best of health. For 4 days I was out of touch with the world and not able to make an emergency health call.

Ziply could've given me the usual "Temporary Service" the very next day but they said they didn't work on weekends.

The company (Ziply) told my friend who relayed that to me on Monday 2/27/2023, after my temporary service was once again restored. I was lucky to get the attention of one of my neighbors to call my friend to order a repair when it stopped working.

The questions to Ziply in the initial interview by Chris Hecht were well done but the answers were obviously contradictory in context. Either Chris Hecht is incredibly naive or he just wanted to brush me off.

Their Interview- The questions on page 5 of the Record Document are precise and to the point. Now look at the answers on page 6. Ziply admits that it is obligated to "construct, operate and maintain repairs" to their equipment and that they have a 10 foot easement. At the top of page 7 Ziply admits there is a TEMPORARY LINE at my residence. They go on to say that they cannot gain access to the pedestal to exercise their 10 foot guaranteed easement right. This comment should have struck Chris Hecht as absurd. Common sense suggests that a utility company can dismantle an obstruction to maintain their equipment at ANY time especially if it is in an emergency.

My exhibit letters prove there is a totally clear path to the problem pedestal right along the west side of the chain link fence. The pedestal is actually located on the neighbors side between the 2 fences is his property not my landlords property. Ziply can drive into that unobstructed area, dig a small trench along the fence for the heavy duty underground cable to the main pedestal on the road. Interestingly there are 2 posts about 6 feet on either side of the pedestal holding up the chain link fence. Ziply can in 5 minutes, with bolt cutters cut out that section and it would look like exactly what the fence contractor would or should have done. This job can be completed in less than 1 day.

My friend in Fallon told me there is another construction method used by utility companies to install services called directional boring where they can dig two bell holes and shoot a directional bore between them to run a service without damaging any property between the two holes. He did say that he was not convinced that Ziply Fiber or it's contractors were competent enough to perform that method without hitting a water, sewer or gas line given the past track record they have shown in performing simple repairs.

Another lie Ziply told is that when the repairman came to my residence on 3/8/2022 he said he could not gain access to my house "and the ticket was closed as no access". As I explained in my Exhibit, access to my house was never needed because the line into my house is on the outside of my house. The no access remark by the repairman implied that the line to my house was not working on the day 3/8/2022. Three days later on 3/11/2022 the next repairman checked the line coming into my house with my land lady standing there as a witness and found my line to be in perfect working order. Did God himself fix my line in those 3 days?

I have been living in my house for over 45 years. My telephone line was installed 10/13/1977 and I have never been late on my bill.

All I want is a permanent line to my residence which is very easy to install I feel the IPUC should and could make that happen for a citizen. I believe that is their job.

Sincerely,

Fred Quinto