

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on) Rule and Regulation No. 172
its own motion, seeking to amend Title)
291, Chapter 5, Telecommunications Rules) **COMMENTS OF COX NEBRASKA**
and Regulations, to add rules regarding) **TELCOM, LLC**
customer billing practices.)

Cox Nebraska Telcom, LLC (“Cox”) files these comments for the Commission’s consideration in Rule and Regulation No. 172. Cox appreciates the opportunity to provide input on the Commission’s proposed customer billing rules and it encourages the Commission to make the modifications suggested below before proceeding to a hearing in this docket.

I. THE DUE DATE FOR A BILLING CYCLE IS TOO LONG

Cox believes the newly proposed time period of thirty (30) days for a billing due date is too long and it will serve to negatively affect consumers, and the industry.

Specifically proposed Rule 002.17A states:

... The due date listed on the bill must be at least thirty (30) days from the date of mailing or electronic transmission.

Cox believes it is unnecessary for the Commission to establish a billing due date, as it routinely works with its customers to adjust billing dates in order to accommodate customers’ needs. In the extremely competitive telecommunications environment, Cox does all it can to satisfy customer requests. This includes adjusting billing due dates to correspond with customers’ payroll dates. However, if the Commission nonetheless wishes to mandate a billing due date in its rules then Cox recommends that such date be fifteen (15) days from the date of mailing or electronic transmission. The 15-day

calculation is used by several states, including Arizona, California, Florida, Idaho, Nevada, Oklahoma and Washington. In Kansas, a ten (10) day billing due date is used.

Cox has concerns with the Commission's proposal of requiring a thirty day due date primarily due to the significant customer confusion that will ensue. If a customer waits to pay a bill on day thirty, the next bill (which could be received the same day as they make their remittance or shortly thereafter) will include charges for two months of service. This will drive calls to the customer call center and will cause a surge in complaints with people incorrectly believing they were not given proper credit for their remittance. Not only will this create confusion, but this will lessen the call center's ability to timely assist customers with legitimate problems, such as service issues. For this reason, Cox strongly objects to the required thirty day billing due date and encourages the Commission to either eliminate this language altogether or shorten the period of time to a more reasonable fifteen day requirement.

II. PROHIBITING BILLING OLDER THAN 90 DAYS IS UNREASONABLE

Cox objects to the Commission's proposal to define "prompt and accurate" billings as charges not older than ninety days from the invoice date. Specifically, proposed Rule 002.17A2 states as follows:

"Prompt and accurate" billing shall mean that any charges should not be older than ninety (90) days from the date of the respective monthly billing statement or invoice.

While this rule may seem to be 'customer friendly', it in fact does not imitate common industry billing practices. Local companies, such as Cox routinely bill for other companies, in particular for interexchange carriers. Regularly, there are instances where Cox receives invoices from 3rd party carriers that would exceed the ninety day time limit,

preventing Cox from collecting the amounts justifiably owed. Cox urges the Commission to eliminate Rule 002.17A2 in its entirety as it imposes unreasonable restrictions on the industry's operations and normal business practices.

Respectfully submitted this 30th day of June, 2009.

ATTORNEY FOR COX NEBRASKA TELCOM, LLC

Deonne Bruning, #20127
Deonne Bruning, P.C., L.L.O.
2901 Bonacum Drive
Lincoln, NE 68502
(402) 421-6405
(402) 421-6406 (fax)