

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

Subchapter B. CUSTOMER SERVICE AND PROTECTION.

§26.30. Complaints.

- (a) **Complaints to a certificated telecommunications utility (CTU).** A customer or applicant for service (complainant) may submit a complaint to a CTU either in person, by letter, telephone, or any other means determined by the CTU.
- (1) **Initial investigation.** The CTU shall investigate and advise the complainant of the results of the investigation within 21 days of receipt of the complaint. A CTU shall inform customers of the right to receive these results in writing.
- (2) **Supervisory review by the CTU.** If a complainant is not satisfied with the initial response to the complaint, the complainant may request a supervisory review by the CTU.
- (A) A CTU supervisor shall conduct the review and shall inform the complainant of the results of the review within ten days of receipt of the complainant's request for a review. A CTU shall inform customers of the right to receive these results in writing.
- (B) A complainant who is dissatisfied with a CTU's supervisory review shall be informed of:
- (i) the right to file a complaint with the commission;
- (ii) the commission's informal complaint resolution process;
- (iii) the following contact information for the commission:
- (I) Mailing Address: Public Utility Commission of Texas, Customer Protection Division, P.O. Box 13326, Austin, Texas 78711-3326;
- (II) Phone Number: (512) 936-7120 or in Texas (toll-free) 1-888-782-8477;
- (III) FAX: (512) 936-7003;
- (IV) E-mail address: customer@puc.texas.gov;
- (V) Internet address: <http://www.puc.texas.gov>;
- (VI) Telecommunications Device for the Deaf (TTY): (512) 936-7136; and
- (VII) Relay Texas (toll-free): 1-800-735-2989.
- (b) **Complaints to the commission.** Notwithstanding anything to the contrary, the commission may only hear a complaint of a retail or wholesale customer against a deregulated company or exempt carrier that is within the scope of the commission's authority provided in Public Utility Regulatory Act (PURA) §65.102.
- (1) **Informal complaints.**
- (A) The complaint to the commission should include:
- (i) The complainant's name, address, and telephone number.
- (ii) The name of the CTU or subsidiary company against which the complaint is being made.
- (iii) The customer's account or phone number.
- (iv) An explanation of the facts relevant to the complaint.
- (v) Any other information or documentation which supports the complaint.
- (B) Upon receipt of a complaint from the commission, a CTU shall investigate and advise the commission in writing of the results of its investigation within 21 days of the date forwarded by the commission.
- (C) The commission shall:
- (i) review the CTU's investigative results;
- (ii) determine a resolution for the complaint; and
- (iii) notify the complainant and the CTU in writing of the resolution.

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- (D) While any informal complaint process is ongoing at the commission:
 - (i) basic local telecommunications service may not be suspended or disconnected for the nonpayment of disputed charges; and
 - (ii) a customer is obligated to pay any undisputed portion of the bill.
 - (E) The CTU shall keep a record of any informal complaint forwarded to it by the commission for two years after the determination of that complaint.
 - (i) This record shall show the name and address of the complainant, and the date, nature, and adjustment or disposition of the complaint.
 - (ii) Protests regarding commission-approved rates or charges that require no further action by the CTU need not be recorded.
- (2) **Formal complaints.** If the complainant is not satisfied with the results of the informal complaint process, the complainant may file a formal complaint with the commission. This process may include the formal docketing of the complaint as provided in the commission's Procedural Rules, §22.242 of this title (relating to Complaints).