

Connect New York Coalition

July 6, 2015

Public Service Commission
Audrey Zibelman, *Chair*
Patricia L. Acampora
Garry A. Brown
Greg C. Sayre
Diane X. Burman, *Commissioners*

Department of Public Service
Three Empire State Plaza,
Albany, New York 1223-1350
www.dps.ny.gov

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Case Number: [14-C-0370](#)

Dear Commission Members:

We write in response to the Chair's letter of June 26.

As we said in our earlier letter, we will participate constructively in the hearings. We are pleased that our request for Capital Region and Hudson Valley hearings has been agreed to. We have begun consideration of the documents made public by the Commission last week.

We also welcome the opportunity to meet again with the Chair. Susan Lerner will be in touch with convenient dates.

As we hope is evident, we want to maintain a good relationship with the Chair, the Commission and the Staff, and we understand that there is a limit in the value of dueling letters. We will offer more detail as events permit, but there is a need to be clear about what has and hasn't happened in the last year.

We filed a Petition a year ago. It contained complaints and requests for action by the Commission. It was ignored for several months. We requested a meeting with the Chair. The meeting was constructive. Several promises were made including the imminent production of a "roadmap" for a study, a promise that it would be concluded by the April 1, 2015 date committed to in a side letter, a

promise of "robust dialogue", and a promise that the concerns raised in the Petition would be included in Commission actions.

We mean no disrespect when we express astonishment at the June 26 letter. It is as though the Petition, the letters, the meetings and the promises have not languished in Commission inaction for a full year. It is as though we have received a "road map" and had participated in a "robust dialogue". It is as though the Commission in its documents and "questions" has addressed the issues and complaints contained in the Petition. It is as though the Commission produced the Study it promised in the side letter.

None of these things has happened. We will specify the failures at the hearings. But a constructive relationship, based on civility and mutual respect, is not advanced by assertions that the Petition has been acted on as it should and as was promised.

All of this is secondary to the sad realities that are faced by millions of New Yorkers whose telecommunications systems are neither socially nor economically adequate. The system, for many, operates in violation of the laws of the state. Be it misallocation, inadequate basic services, failure of regulatory process, deteriorating service quality, and more, the state cannot tolerate these realities. A Staff Assessment is welcome. It is not a remedy.

We hope and assume that meetings and hearings will be helpful to improving telecommunications service. But whatever happens, we both should acknowledge the action and inaction of the past year.

The single most constructive step you can take is to open a formal proceeding on the Petition. That would in no way interfere with the Study, but would assure, finally, that something will happen with respect to the interest of the public in a safe, reliable, affordable and efficient telecommunications system.

Best wishes,

/s/
Susan Lerner

/s/
Stephanie Miner

/s/
Robert Master

Brian Kavanagh
/s/