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Assembly Member 76th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

COMMITTEES
Banks
Consumer Affairs and Protection
Corporations, Authorities
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Tourism, Parks, Arts
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NEW YORK STATE ASSEMBLY MEMBER REBECCA A. SEAWRIGHT
TESTIMONY TO THE ASSEMBLY STANDING COMMITTEES ON CORPORATIONS, AUTHORITIES AND
COMMISSIONS AND ECONOMIC DEVELOPMENT, JOB CREATION, COMMERCE AND INDUSTRY

Wednesday, January 20, 2016

RE: PROVIDING AFFORDABLE AND HIGH QUALITY CABLE, BROADBAND AND TELEPHONE
SERVICE

On behalf of the neighborhoods of the Upper East Side, Yorkville and Roosevelt Island, thank you for the opportunity to submit testimony on this critical issue which concerns the quality of life for thousands of my constituents. After hearing the plight of my constituents, I am compelled to speak out in opposition to Verizon's practices during the transition to fiber optic phone lines from copper lines. I implore Verizon to consider my comments and to reconsider their practices during this forced conversion to fiber optics.

It is important to point out that this hearing is to examine a consumer's choice in the marketplace for affordable and high quality cable, broadband, and telephone service. Many of the constituents who have reached out to my office felt robbed of the ability to choose when they were informed of a conversion to Fios. Most received very little or no notice at all of the conversion. Additionally, Verizon has been less than cooperative in working with willing customers to set up appointments to make the transition. Constituents have described Verizon as "inflexible, unknowledgeable, discourteous," and even worse, "threatening."

Residents have also shared their safety concerns with me. In the case of a power outage, those with Fios will only be able to use their service if the backup battery is functioning. The two choices provided by Verizon for backup power are costly and customers are not well informed of the technology behind the Optical Network Terminal which is "the brain" to their computer, TV and phone. The power reserve unit is powered by 12 D-cell batteries and can last up to 20 hours and the battery backup unit is powered by a 12 volt battery which costs \$39.99 to replace and only lasts up to 8 hours in the case of a power outage. It is vital that our most vulnerable seniors are able to make calls during a power outage. Through use and time, it is inevitable that the backup power source will diminish on the Optical Network Terminals. Customers may not be informed of the technology behind the optical network terminal and may not understand that their phone call is powered by a battery that will eventually diminish, and needs to be replaced.

Not to mention that the copper lines are not being maintained and will likely become extinct thanks to conversions like this, further limiting consumer's choice in the future. The conversion to Fios promises to provide "bandwidth for today's digital demands and the fastest speeds for Fios TV, Internet and Digital Voice." This is a great achievement and will be welcomed by many households who need faster, better service. That being said, the residents that I heard from were happy with their existing service on the traditional copper landline. This transition continues to burden my constituents and I urge you to consider the following anecdotes from my staff on the cases that they have encountered in the community office.

1. On November 21, 2015, a 67 year old resident discovered that Verizon had terminated her service before she had the opportunity to port her line over to another vendor. This resident received mailers and phone calls to inform her about the conversion and that her service would be cancelled if she did not agree. She was not given a deadline but the phone calls became more threatening. She reports that Verizon refuses to reinstate her service until she signs up for FIOS. She considers Verizon's tactics "abusive and intimidating." She feels that this conversion is unnecessary.
2. A 70 year old constituent came to the office in October 2015 to make sure that she was not going to miss the recertification period for her lifeline. She had recently been certified as a new lifeline customer even though she has had lifeline for years. Her recertification documents were "lost" with thousands of other customers because two different addresses were given for recertification in 2014. As a result she, like many other seniors, is worried that lifeline will drop her again. My constituent liaison called Verizon on her behalf and spoke to many representatives who did not acknowledge that they had ever heard of this incident and would not listen to the constituent or my staff, as her advocate, to try and understand the problem. Several referrals were made until finally, one of the representatives referred our office to the lifeline call center. They insisted that lifeline is a separate entity and that would be the appropriate place to address the concerns of our constituent. My staff member called the number given to her by the Verizon representative and the representative who answered at that number explained that they were with Verizon. The constituent feels that the Verizon representatives are unknowledgeable about this program and are not accountable for the mistakes that were made and the disorganized manner that the representatives continue to deal with customers. Following the phone call, the constituent received another recertification form even though she is not up for recertification.
3. A resident of a co-op on the Upper East Side received a letter from Verizon informing him that he must allow service technicians into his home to install the Fios router and backup battery. He reports that he felt threatened when he was told that if he did not allow them to do the work, his service would be cut. Verizon told him that the co-op made an agreement with them to allow this process to happen. When he asked the co-op, they explained that it wasn't true. He also feels that this transition undermines the copper network.
4. A senior constituent living on the Upper East Side contacted our office regarding her Verizon telephone service being disconnected on September 18, 2015. She reported that she called Verizon many times over a span of 2 weeks. Despite 2 weeks of phone calls and promises from Verizon that a representative was going to call her back with an appointment to change from copper to fiber optics, Verizon never called her back. On October 02, 2015 the constituent came to our office looking deeply distraught and frustrated by Verizon's customer service. She asked for our assistance to restore her phone service, so my social worker contacted Verizon on her behalf. It was a long and difficult process since Verizon's representative had no knowledge of the transition to fiber optics in Manhattan. After explaining the situation, he called his supervisor and finally gave the constituent an appointment for October 4, 2015. On October 04, the constituent returned to our office to report that Fios was successfully installed in her apartment.
5. A 65 year old female Upper East Side resident had telephone service provided by IDT America Corp. She initially came to our office on August 19, 2015, visibly distraught and stated that her phone service had been disconnected even though she had a \$20.00 credit on her account. An IDT representative told her that her phone was disconnected because she did not contact IDT to transition from copper lines to fiber optics. The constituent showed us a letter from IDT that did not have a specific date of service cancellation; she also said

that she called the phone number given in the letter and a representative told her that they will contact her prior to any service cancellation. According to the constituent, IDT never contacted her to let her know about the date when her service was going to be cancelled. This constituent was left without phone service and without a way to contact anyone because she does not have a cellphone service. My social worker in our community office made calls to IDT. Since IDT leases the phone service from Verizon, they expressed that all they could offer was an appointment one month later. Verizon could not confirm that the constituent would be able to keep her 212 phone number and that she would have to pay for reconnection. After many phone calls to Verizon which included lengthy and difficult negotiations to reach a compromise, the constituent was offered an appointment for reconnection on August 24, keeping her phone number, but paying for reconnection. On August 24, 2015 we went to the constituent's home to ensure that the IDT agent showed up. When my social worker arrived to the constituent's home, the constituent was still waiting for IDT. Our office called IDT and they reported that Verizon failed to fit the appointment into their schedule. We called Verizon directly, renegotiations started, and the constituent was given another appointment 2 days later. Two days later, on August 26, 2015 the constituent called our office to let us know that her phone service was restored.