

**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 a service may submit a complaint to a CTU either in person, by letter, telephone, or by any other means determined by the CTU. For purposes of this section, a complainant is a customer or applicant for a service that has submitted a complaint to a CTU or to the commission.
- (1) **Initial investigation.** The CTU must investigate the complaint and advise the complainant of the results of the investigation within 21 days of receipt of the complaint. A CTU must 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 must conduct the supervisory review and inform the complainant of the results of the review within ten days of receipt of the complainant's request for a review. A CTU must inform customers of the right to receive these results in writing.
- (B) A complainant who is dissatisfied with a CTU's supervisory review must 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: PUCT, Consumer 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: [consumer@puc.texas.gov](mailto:consumer@puc.texas.gov);
    - (V) Internet address: <http://www.puc.texas.gov>;
    - (VI) Relay Texas (toll-free): 1-800-735-2989.
- (b) **Complaints to the commission.** The commission may only review 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 must investigate and advise the commission in writing of the results of its investigation within 15 days of the date the complaint was forwarded by the commission.
- (C) The commission will:
- (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.
- (D) While any informal complaint process is ongoing at the commission:
- (i) basic local telecommunications service must 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.

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- (E) The CTU must 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 must show the name and address of the complainant, and the date, nature, and adjustment or disposition of the complaint.
  - (ii) A CTU is not required to keep records of protests regarding commission-approved rates or charges that require no further action by the CTU.
- (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 by §22.242 of this title (relating to Complaints).