

## City of Alexandria, Virginia

## MEMORANDUM

DATE: MARCH 3, 2004

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: TECHNICAL AMENDMENT TO SECTION 9-3-172 OF THE CITY CODE  
RELATING TO CABLE TELEVISION

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**ISSUE:** Request to amend City Code section 9-3-172 to make the City's phone answering standard for cable television franchisees consistent with the Federal Communications Commission (FCC) standard.

**RECOMMENDATION:** That City Council pass the ordinance on first reading and schedule it for public hearing, second reading, and final passage on March 13 (Attachment).

**DISCUSSION:** The FCC Customer Service Standards state that a call to a cable system must be answered, including wait time, within 30 seconds after the connection is made. If the call is transferred, the transfer time may not exceed 30 seconds. On these basis requirements, the City Code mirrors the federal standard. However, the federal requirement states that these standards must be met at least 90 percent of the time, measured quarterly, under "normal operating conditions." The City Code requires that this standard be met 95 percent of the time. The FCC defines normal operating conditions as those which are within the control of the cable operator. These conditions include special promotions and normal system maintenance and upgrades, but do not include natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions.

The change to Section 9-3-172 (b) of the City Code which requires calls to the cable television franchisee to be answered within 30 seconds of the connection, and the time to transfer a call to a customer service representative another 30 seconds, 95 percent of the time to 90 percent of the time, measured quarterly. Such a change would make the City's requirement the same as federal customer service standard.

**ATTACHMENT:** Proposed Ordinance

**STAFF:**

Rose Williams Boyd, Director of Citizen Assistance  
Jacqueline Levy, Cable Television Administrator

Introduction and first reading: 3/09/04  
Public hearing: 3/13/04  
Second reading and enactment: 3/13/04

### INFORMATION ON PROPOSED ORDINANCE

#### Title

AN ORDINANCE to amend and reordain Section 9-3-172 (TELEPHONE AND OFFICE AVAILABILITY) of Article K (CONSUMER PROTECTION PROVISIONS), Chapter 3 (ALEXANDRIA CABLE COMMUNICATIONS CODE) Title 9 (LICENSING AND REGULATION) of The Code of the City of Alexandria, Virginia, 1981, as amended.

#### Summary

The proposed ordinance amends the City of Alexandria's cable television customer service standard, to require that telephone calls be answered within 30 seconds, and transferred to a service representative within an additional 30 seconds, 90 percent of the time during normal service hours. After hours calls must be transferred to an answering service or device within the same time frame. These requirements are consistent with cable customer service standards set by the Federal Communications Commission. Currently, the City requires such service 95 percent of the time.

#### Sponsor

None

#### Staff

Rose Boyd, Director, Citizen Assistance  
Karen S. Snow, Assistant City Attorney

#### Authority

§ 2.04(d), Alexandria City Charter  
47 U.S.C. § 552(b)(1), 47 C.F.R. § 76.309(c)(1)(ii)

#### Estimated Costs of Implementation

None

#### Attachments in Addition to Proposed Ordinance and Its Attachments (if any)

None

P:\9-3-172(b)cov

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Section 9-3-172 (TELEPHONE AND OFFICE AVAILABILITY) of Article K (CONSUMER PROTECTION PROVISIONS), Chapter 3 (ALEXANDRIA CABLE COMMUNICATIONS CODE) Title 9 (LICENSING AND REGULATION) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 9-3-172 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 9-3-172 Telephone and office availability.

(a) A franchisee shall maintain an office at a convenient location in the city that shall be open during the hours of 8:00 a.m. to 9:00 p.m., Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturday, and, if found by the administrator to be reasonably necessary, 12:00 p.m. to 5:00 p.m. on Sunday, to allow subscribers to request service, pay bills and conduct other business. A franchisee shall perform service calls, installations and disconnects during at least the hours 8:00 a.m. to 8:00 p.m., Monday through Saturday, and shall respond to outages 24 hours a day, seven days a week. A franchisee shall establish a publicly-listed, local toll-free telephone number. The phone at such number must be answered by customer service representatives at least during the hours of 8:00 a.m. to 8:00 p.m., Monday through Saturday, for the purpose of receiving requests for service, inquiries and complaints from subscribers. After those hours, a franchisee shall arrange for the phone to be answered so that customers can register complaints and report service problems on a 24-hour per day, seven-day per week basis, and so that the franchisee can respond to service outages as required herein.

(b) Telephone answering time shall not exceed 30 seconds, and the time to transfer a call to a customer service representative, including hold time, shall not exceed an additional 30 seconds. This standard shall be met ~~95~~ 90 percent of the time, measured quarterly. Under normal operating conditions, customers shall receive a busy signal less than three percent of the time. When the business office is closed, an answering machine or service capable of receiving and recording service complaints and inquiries shall be employed. The after-hours answering service shall comply with the same telephone answer time standards set forth in this subsection. Upon request of the administrator, a franchisee shall supply statistical data to verify that it has met the standards set forth in this subsection.

(c) A franchisee shall hire sufficient staff fluent in both Spanish and English so that it can adequately respond to customer inquiries, complaints and requests for service in its office, over the phone and at a subscriber's residence.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

William D. Euille  
Mayor

Introduction: 3/9/04  
First Reading: 3/9/04  
Publication:  
Public Hearing:  
Second Reading:  
Final Passage:

P:9-3-172(b)