**Section 737.300 Customer Credits for Basic Local Exchange Service Violations**

a) Customers shall be credited by the Local Provider for violations of basic local exchange service quality standards described in Section 737.200. The credits shall be applied automatically on the statement issued to the customer for the next monthly billing cycle following the violation or following the discovery of the violation. The next monthly billing cycle following the violation or the discovery of the violation means the billing cycle immediately following the billing cycle in process at the time of the violation or discovery of the violation, provided the total time between the violation or discovery of the violation and the issuance of the credit shall not exceed 60 calendar days. The Local Provider is responsible for providing the credits and the customer is under no obligation to request those credits and the credits shall be identified as Service Quality or SQ credits. The following credits shall apply:

1) If a Local Provider fails to repair an out-of-service condition for basic local exchange service within 30 hours as required under Section 737.200(b), the Local Provider shall provide a credit to the customer. If the service disruption is for more than 30 hours, but not more than 48 hours, the credit must be equal to a pro-rata portion of the monthly recurring charges for all basic local exchange services disrupted. If the service disruption is for more than 48 hours, but not more than 72 hours, the credit must be equal to at least 33% of one month's recurring charges for all local services disrupted. If the service disruption is for more than 72 hours, but not more than 96 hours, the credit must be equal to at least 67% of one month's recurring charges for all basic local exchange services disrupted. If the service disruption is for more than 96 hours, but not more than 120 hours, the credit must be equal to one month's recurring charges for all basic local exchange services disrupted. For each day or portion of that day that the service disruption continues beyond the initial 120-hour period, the Local Provider shall also provide an additional credit of $20 per calendar day.

2) If a Local Provider fails to install basic local exchange service as required under Section 737.200(a), the Local Provider shall waive 50% of any installation charges, or in the absence of an installation charge or when installation is pursuant to the Link Up program, the Local Provider shall provide a credit of $25. If a Local Provider fails to install service within 10 business days after the service application is placed, or fails to install service within 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, the Local Provider shall waive 100% of the installation charge, or in the absence of an installation charge or where installation is provided pursuant to the Link Up program, the Local Provider shall provide a credit of $50. For each day that the failure to install service continues beyond the initial 10 business days, or beyond 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, the Local Provider shall also provide an additional credit of $20 per calendar day until the basic local exchange service is installed.

3) If a Local Provider fails to keep a scheduled repair or installation appointment when a customer premises visit requires a customer to be present as required under Section 737.200(c), the Local Provider shall credit the customer $25 per missed appointment. A credit required by this subsection does not apply when the Local Provider provides the customer notice of its inability to keep the appointment no later than 8:00 pm of the day prior to the scheduled date of the appointment.

b) Credits required by this Section do not apply if the violation of a service quality standard:

1) occurs as a result of a negligent or willful act on the part of the customer;

2) occurs as a result of a malfunction of customer-owned telephone equipment or inside wiring;

3) occurs as a result of, or is extended by, an emergency situation as defined in 83 Ill. Adm. Code 732.10;

4) is extended by the Local Provider's inability to gain access to the customer's premises due to the customer missing an appointment, provided that the violation is not further extended by the Local Provider;

5) occurs as a result of a customer request to change the scheduled appointment, provided that the violation is not further extended by the Local Provider;

6) occurs as a result of a Local Provider's right to refuse service to a customer as provided in Commission rules; or

7) occurs as a result of a lack of facilities when a customer requests service at a geographically remote location, where a customer requests service in a geographic area where the Local Provider is not currently offering service, or when there are insufficient facilities to meet the customer's request for service, subject to a Local Provider's obligation for reasonable facilities planning.

(Source: Amended at 39 Ill. Reg. 364, effective December 22, 2014)