



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

OFFICE OF CABLE TELEVISION  
AND TELECOMMUNICATIONS

IN THE MATTER OF VERIZON NEW JERSEY INC. ) ORDER AS WITHIN TIME  
FOR WAIVER OF N.J.A.C. 14:3-5.2 FOR THE PERIOD )  
OF THE COVID-19 PUBLIC HEALTH EMERGENCY )  
 ) DOCKET NO. TW20050342

**Parties of Record:**

**Richard C. Fipphen, Esq., Associate General Counsel,** Verizon New Jersey Inc.  
**Stefanie A. Brand, Esq., Director,** New Jersey Division of Rate Counsel

BY THE BOARD:

On March 9, 2020, Philip Murphy, Governor of the State of New Jersey, issued Executive Order No. 103 ("EO"), declaring a state of emergency and a public health emergency in the State on account of the public health emergency caused by the COVID-19 pandemic.

The EO found in part that it is critical to prepare for and respond to suspected or confirmed COVID-19 cases in New Jersey, to implement appropriate measures to mitigate the spread of COVID-19, and to prepare in the event of an increasing number of individuals requiring medical care or hospitalization. EO 103 at 3

To that end, it authorized and empowered the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule, where the enforcement of which would be detrimental to the public welfare during this emergency. EO 103 at 6.

On May 5, 2020, Verizon New Jersey Inc. ("VNJ", "Verizon" or the "Company") filed a verified petition with the Board seeking a temporary waiver of N.J.A.C. 14:3-5.2(a)(1) of the New Jersey Administrative Code ("Code") predicated upon the issuance of the EO No. 103. Section 14:3-5.2(a)(1) of the Code requires that all utilities "make itself accessible to customers and Board staff by maintaining the following: (1) [a] toll free emergency telephone number at which a customer service representative can be reached quickly at any time of day or night, seven days per week."

According to the Company, due to the extraordinary circumstances posed by the Covid-19 pandemic and the need to reorganize its customer service delivery to protect its employees and the public, and in response to guidance from the U.S. Centers for Disease Control and Prevention (“CDC”), the World Health Organization (“WHO”) and state and local authorities, including the State of New Jersey, Verizon implemented changes to its hours of operation for its call centers on March 19, 2020.

Verizon, although not available 24 hours a day, seven days a week, has since expanded its hours of operation as it has regained capacity for the benefit of its customers as follows:

| <b>Date</b>  | <b>Tech Support</b>  | <b>Sales &amp; Service</b>   |
|--------------|--|--|
| Pre-pandemic | Days: Sunday - Saturday<br>Hours: 24 hours per day   | Days: Sunday - Saturday<br>Hours: 7:00 am - 7:00 pm  |
| March 19     | Days: Monday - Saturday<br>Hours: 8:00 am - 7:00 pm<br>Day: Sunday<br>Hours: 8:00 am - 5:00 pm<br>(Copper/FTTP voice only) | Days: Monday - Friday<br>Hours: 8:00 am - 5:00 pm  |
| March 29     | No change  | Days: Monday - Saturday<br>Hours: 8:00 am - 5:00 pm  |
| April 19     | No change  | Days: Monday - Friday<br>Hours: 8:00 am - 7:00 pm<br>Day: Saturday<br>Hours: 8:00 am - 5:00 pm |
| May 3        | Days: Sunday - Saturday<br>Hours: 8:00 am - 7:00 pm  | No change  |

According to the Company’s petition, it expects to return to normal operations, consistent with the requirements of the above cited rules by the end of June 2020.

Because of the extraordinary nature of the public emergency and public health threat, Verizon requests that the Board waive the requirements *nunc pro tunc* to March 19, 2020 and that the waiver remain in effect until the conclusion of the declared state of emergency.

On May 7, the Division of Rate Counsel filed comments in the matter indicating that they had no objection to Board approval of the Petition.

## **DISCUSSION**

The Board has the authority to relax, or effectively waive, its administrative rules if doing so is in the public interest. N.J.A.C. 14:1-1.2. The Board may, in special cases and for good cause shown, permit deviation from its rules by a two part test. The Board shall, in accordance with the general purposes and intent of its rules, waive a section of a rule or a rule if full compliance with the rule would adversely affect the ratepayers of a utility, the ability of said utility to continue to render safe, adequate and proper service, or the interests of the general public. N.J.A.C.14:1-1.2(b) (1). Verizon’s request arises from an extraordinary confluence of events beyond its control that gave rise to the Governor issuing several Executive Orders in order to mitigate the resulting fallout from the Covid-19 pandemic. Executive Order No. 103 specifically contemplates that certain rules would need to be waived, modified or suspended. The safety of the public and the utility employees is of primary concern and reducing the hours of operation of the emergency call center is consistent with that goal.

After a careful review of this matter and consistent with the governing rules of the Board and all applicable laws of the State of New Jersey and consistent with the Governor's Executive Orders, the Board **HEREBY FINDS** that the Company's request is in the public interest and **HEREBY GRANTS** the request *nunc pro tunc* to March 19, 2020.

In addition, the Company is **DIRECTED** to provide notice to the Board within 24 hours once normal operations of the emergency call center are resumed.

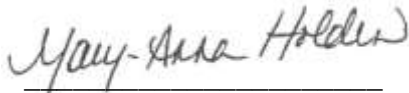
This Order shall be effective June 1, 2020.

DATED: May 20, 2020

BOARD OF PUBLIC UTILITIES  
BY:



JOSEPH L. FIORDALISO  
PRESIDENT



MARY-ANNA HOLDEN  
COMMISSIONER



DIANNE SOLOMON  
COMMISSIONER




UPENDRA J. CHIVUKULA  
COMMISSIONER



ROBERT M. GORDON  
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH  
SECRETARY

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