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March 26, 2015

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: CG Docket No. 02-278

EPCOR Water (USA) Inc. is the largest private, regulated water utility in Arizona and New Mexico, providing water and wastewater service to approximately half a million customers through approximately 200,000 connections across 22 communities in seven counties. At the core of EPCOR USA's customer-focused business philosophy is a commitment to best-in-class customer service, which is reliant on the ability to inform and educate our customers quickly and efficiently.

The provision of water is an essential service, one which is carefully regulated at both the state and Federal level. This includes an expectation and requirement that utilities will provide specific, timely and direct communications to customers relating to:

- Planned and unplanned service outages and curtailments
- Natural disasters and other emergencies
- Service interruptions resulting from payment delinquencies or other account problems
- Changes to rates and tariffs for service
- Information related to cost savings, conservation and other water- or service-related initiatives

Utilities provide critical services. As such, they must be able to communicate effectively and immediately. Traditionally, this has been accomplished using a variety of communication tools, including postal services, automated phone systems, automated outbound calls, text messages and bill inserts. Social media and the internet have become additional communications vehicles.

While these various tools continue to be used, today's technology-driven culture has elevated customers' expectations. Today's utility customer demands immediacy and convenience, using the method of communication that they have personally selected with the ability to change that preference, or opt out, at any point. Increasingly, that preferred method of communication is wireless.

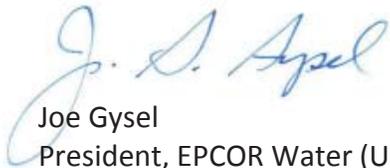
The communications landscape is markedly different than when the Telephone Consumer Protection Act (TCPA) was established. The TCPA was established to protect consumers, but it lacks a clear and definitive statement that protects utilities in meeting their obligations to customers.

In the absence of a clear and definitive statement from the Federal Communications Commission (FCC) that all utility-related communications are essential and necessary and that customers who choose to provide wireless contact information have therefore provided “prior express consent,” utilities are subject to risk from litigation and will be deterred from using best practices to deliver vital information to customers using customers’ preferred method of communication.

All utility communications – both required and informational – are necessary and required. We urge the FCC to issue a clear and definitive statement that when a customer provides wireless contact information to the utility the customer has therefore provided “prior express consent” to receive any and all utility-related communications directly to that wireless point of contact.

Utilities provide vital and necessary services, and it is vital and necessary that they be provided with the necessary tools and protections to effectively deliver on their obligations to the customers they serve.

Sincerely,



Joe Gysel
President, EPCOR Water (USA) Inc.

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