**Section 730.540 Installation Requests**

a) Each local exchange carrier shall complete 90% of its "basic local exchange service installations" within five business days after the customer requests installation or by such later date as requested by applicant, as subject to the exclusions set forth in subsection (f). This subsection (a) does not apply to the migration of a customer between telecommunications carriers, so long as the customer maintains dial tone. A telecommunications carrier offering basic local exchange service util­izing the network or network elements of another carrier shall install new lines for basic local exchange service within 3 business days after provisioning of the line or lines, by the carrier whose network or network elements are being utilized, is complete.

b) Each local exchange carrier shall maintain records and submit reports with respect to this Section as follows: Whenever a local exchange carrier fails to meet the monthly requirements contained in this Section, it shall file a monthly report identifying the installation performance relating to the failed requirement to the Staff of the Illinois Commerce Commission, Telecommunications Division, as well as a statement of the reasons for such failure, within 15 days after the end of the month in which the failure occurred.

c) For purposes of maintaining records or reporting information relating to the requirement set forth in subsection (a), the information required to be so maintained or reported shall be calculated by measuring customer applications or requests for basic local exchange service installation from the date the customer makes such application or request to the date the installation order is signed off by the carrier as completed.

d) If a local exchange carrier knows a premises visit (which includes entry into a dwelling) is required in connection with any basic local exchange service installation, the local exchange carrier shall advise the affected customer of such premises visit and shall schedule an appointment to perform any such visit at a mutually agreed upon date and time (which shall be identified as occurring within a four hour window, such as a morning or afternoon or evening shift or until June 30, 2004, between 8 A.M. and 4 P.M. on a particular day if the carrier uses the resold services, network, or network elements of another carrier to provide services to the customer). When the installation appointment cannot be met within the prescribed appointment window, the local exchange carrier shall notify the customer of the delay and the reason for such delay no later than 8 P.M. of the day prior to the scheduled date of the appointment of its inability to keep the appointment, and shall then reschedule a date and time acceptable to the customer when the utility will be able to provide the requested service*.* Customer-caused delays or customer-missed appointments shall not be subject to the time restrictions of this subsection.

e) Each local exchange carrier shall maintain a record of installation requests as reported by its customers. This record shall include appropriate identification of the customer or service affected, the time, date and nature of the installation request, the action taken, the date and time of installations or other disposition, and whether the appointments were kept, cancelled no later than 8 P.M. of the day prior to the scheduled date of the appointment, or missed without notice to the customer no later than 8 P.M. of the day prior to the scheduled date of the appointment.

f) Authorized Delays

1) An installation that is not performed within the intervals referred to in subsections (a) and (d) will not be considered a violation of subsection (a) and (d) for the period of delay if the installation is delayed due to the following:

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

B) as a result of a malfunction of customer-owned telephone equipment or inside wire;

C) as a result of, or extended by, an emergency situation;

D) as a result of the carrier'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 carrier;

E) as a result of a customer request to change the scheduled appointment, provided that the violation is not further extended by the carrier;

F) as a result of a carrier's right to refuse service to a customer as provided in 83 Ill. Adm. Code 735; or

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

2) Notwithstanding anything in this subsection (f) to the contrary, in those situations where an installation cannot be completed at all as a result of the occurrence of any of the causes identified in this subsection (f), the failure to complete such installation shall not be deemed to be a violation of subsection (a).

(Source: Amended at 36 Ill. Reg. 14990, effective October 1, 2012)