

Marko Maylack  
Attorney At Law

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July 18, 2010

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

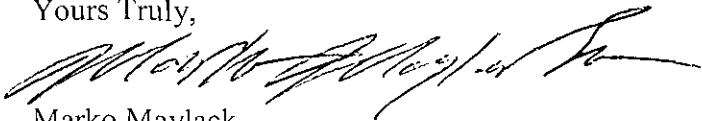
In re: Marko Maylack v. Consolidated Communications  
Docket No. C-2010-2183903

Dear Secretary Chiavetta:

Enclosed for filing are an original and three (3) copies of the Response to the Preliminary Objections by Consolidated Communications. Copies have been served in accordance with the attached Certificate of Service.

Please feel free to contact me should you have any questions.

Yours Truly,



Marko Maylack  
Attorney At Law

Enclosures  
cc: Certificate of Service

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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<b>Marko Maylack</b>	)	
<b>Complainant</b>	)	
	)	<b>Docket No. C-2010-2183903</b>
<b>v.</b>	)	
	)	
<b>Consolidated Communications</b>	)	
<b>Respondent</b>	)	

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**RESPONSE TO THE PRELIMINARY OBJECTIONS OF CONSOLIDATED  
COMMUNICATIONS BY COMPLAINANT, MARKO MAYLACK**

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AND NOW COMES, Marko Maylack, Complainant herein, files this Response to the Preliminary Objections of Consolidated Communications (the "Respondent"). In rebuttal of preliminary dismissal of the Complaint, Complainant submits as follows:

1. This proceeding involves the formal complaint of Marko Maylack filed on June 24, 2010, docketed at C-2010-2183903.
2. Consistent with the Commission's regulations, Complainant responds to the preliminary objections, which serves as adequate reasons for a hearing on the Complaint.
  - A. **Internet Services**
3. The internet services provided by Consolidated use the same "line" going into the home as does their telephone service. Evidence regarding the lack of quality and maintenance of this service demonstrates a pattern of conduct by Consolidated in not maintaining and/or repairing its Telephone facilities.
  - B. **Cause of Action involving Cable Service**
4. Evidence will be presented that Consolidated's poor repair practices and incompetent

repair personnel caused a lengthy issue with Complainants cable service and intentional acts by Consolidated's repair personnel was a primary factor in the length and cost to Complainant of that issue and damage to Complainant's property.

**C. Cause of Action involving Negligence**

5. Evidence will be presented that Consolidated's poor repair practices and incompetent repair personnel caused a lengthy issue with Complainant's cable service and intentional acts by Consolidated's repair personnel was a primary factor in the length and cost to Complainant of that issue and damage to Complainant's property.

**D. Cause of Action involving Trespass**

6. Evidence will be presented that Consolidated's pattern of conduct after its poor repair practices and incompetent repair personnel caused the matter at issue, Consolidated engaged in a pattern of criminal activity and harassment to try and silence any complaint.

**E. Cause of Action involving Harassment**

7. Evidence will be presented that Consolidated's pattern of conduct after its poor repair practices and incompetent repair personnel caused the matter at issue, Consolidated engaged in a pattern of criminal activity and harassment to try and silence any complaint.

**F. Request for Money Damages**

8. Evidence will be presented that Complainant has only requested compensatory damages for actual losses and expenses incurred as a result of Consolidated's poor repair practices and incompetent repair personnel together with costs associated with trespass and harassment.

9. The commission does have jurisdiction over a public utility such as Consolidated

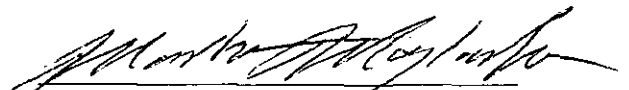
which provides Telephone Service (upon which this complaint is fundamentally based) governing their actions such as described above and of which Complainant is prepared to produce evidence.

10. The section cited by Consolidated states “that the Commission *may* (emphasis added) dismiss any complaint without a hearing, if, in its opinion, a hearing is not necessary in the public interest”. The conduct cited by Claimant is certainly of public interest and such conduct should never be allowed by an entity, in effect, sanctioned by the State.

11. Whether Consolidated acted “in conformity with the Commission’s regulations and acceptable industry practices” should be determined after a hearing where Complainant is allowed to present all relevant evidence and eyewitness testimony. Accordingly, the Preliminary Objections by Consolidated should be rejected and the matter scheduled for a full hearing.

WHEREFORE, Marko Maylack, Complainant requests that the Pennsylvania Public Utility Commission deny the preliminary objections and schedule a hearing at Docket No. C-2010-2183903.

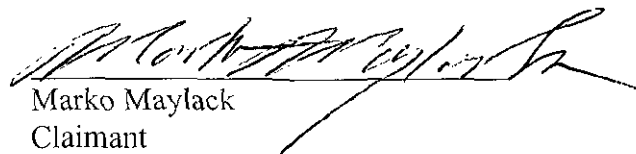
Respectfully Submitted,



Marko Maylack, ID No. 90686  
600 Jennifer Dr.  
Cranberry Twp, PA 16066  
(724) 777-1910

VERIFICATION

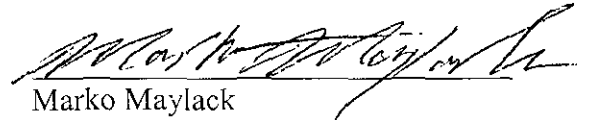
I, Marko Maylack, Claimant, hereby state that the facts set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the facts. I understand that the statement herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to falsification to authorities.

  
Marko Maylack  
Claimant  
Date: July 18, 2010

CERTIFICATE OF SERVICE

I hereby certify that on this 19<sup>th</sup> day of July, 2010, I did serve a true and correct copy of the foregoing upon the persons below via first class mail as follows:

Jennifer Sultzaberger, Esq.  
Thomas, Long Niesen & Kennard  
212 Locust Street, Suite 500  
Harrisburg, PA 17108



Marko Maylack  
Claimant  
Date: July 18, 2010

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