

Via Electronic Filing

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

October 5, 2011

LIDIA SHAN – COMPLAINANT V VERIZON PENNSYLVANIA, INC - RESPONDENT  
**Docket No. C-2011-2243183 .**

**EXCEPTIONS TO THE INITIAL DECISION**

**CERTIFICATE OF SERVICE.**

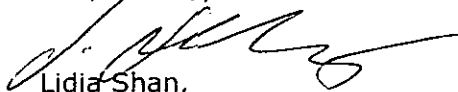
Dear Ms. Chiavetta,

Attached for filing with the Commission are my Exceptions to the Initial Decision and Request for Hearing in connection with complaint Docket No. C-2011-2243183.

My Exceptions and the Request for Hearing will be served to your office and the opponent at the same time as required by the Commission's Regulations by the date above. This is to verify that I E-filed my response and mailed two hard copies of my response and Certificate of Service to your attention and to the opponent together with my response.

Thank you very much for your attention into the above matter.

Respectfully,



Lidia Shan,  
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cc: Janet L. Miller,  
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**BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**LIDIA SHAN – COMPLAINTANT**

**V**

**VERIZON PENNSYLVANIA, INC - RESPONDENT**

**Docket No. C-2011-2243183 .**

**EXCEPTIONS TO "INITIAL DECISION"**

**1. VACATE THE INITIAL DECISION,**

**2. VACATE THE ORDER,**

**3. VACATE PRELIMINARY OBJECTIONS,**

**4. DISREGARD THE ANSWER BY VERIZON TO MY COMPLAINT,**

**5. GRANT THE VALUE OF THE COMPLAINT AND SCHEDULE HEARING.**

Before

Dennis J. Buckley

Administrative law Judge

Judge Buckley was appointed to oversee whether Complaint Docket No C-2011-2243183 has merit and discuss the important issues raised in this complaint concerning Verizon's day by day operations and to make changes if needed to avoid further complaints. Judge Buckley miserably failed to do this job obviously as he was pressured by Verizon not to do what he was hired to do by PA PUC Commissioner. He

did not concentrate on the Complaint Docket C-2011-2243183 but rather decided to compare Complaint C-2009-2150021 with recent complaint which he failed again by not understanding motives and issues raised in both complaints. Both of these cases must be considered separately since they have different subject matter. The preliminary Objections by Verizon was intentionally written in a way to confuse everybody and do not respond to any issues they are supposed to respond by falsifying evidence on the subject. The Preliminary Objections should not be even accepted by PA PUC because they were not responding to the issues raised in my Complaint of 2011. I am wondering whether Judge Buckley was chosen by Verizon and not by Commission. The fact is that the Order issued by Judge Buckley is exactly what Verizon wants and that is to shut me up so others will never know how they are being defrauded by Verizon when they ask Verizon to put their telephone on temporary suspension. His role in writing this Order was not to make sure that Verizon will not violate the rights of the consumers and will not overcharge them for illegitimate fees but he decided otherwise. Judge ordered to stop me from further complaints if needed. Judge Buckley failed to judge without prejudice. It is incomprehensible to accept such fruitless work of Judge Buckley

I request that Judge Buckley be removed from further activity in this matter and be replaced by a non-bias judge.

I had no intentions to complain to PA PUC if for years I would not experience mysterious overcharges by Verizon and there was no one within the company to discuss this matter and to stop these charges. It appears that Verizon will not move into the right direction until PA PUC will rule on it properly. Knowing the fact that PA PUC is façade for the utilities and they have no concerns about public interest, this inactivity on PA PUC side must be revised as they must have an obligation to serve the public and their interests.

I object to the Initial Decision of Judge Buckley to grant Preliminary Objection by Verizon, Pennsylvania, Inc and dismiss my Complaint due to the fact that Judge Buckley failed to understand motives and content of issues of the Complaint **Docket No. C-2011-2243183** .

I request that "Answer and New Matter" by Verizon be disregarded or dismissed for a reason that this document was not in the system by e-filing on June 17. 2011. Besides, the "Answer" as it states in this document is full of falsified statements and is not actually an answer to any of the issues I raised, nor it provides proof to any issues otherwise, therefore it must be annulled. Verizon denied all the facts and PA PUC granted approval without any concerns of the public interests based on what evidence?

I request to dismiss Preliminary Objections since Verizon was unable to respond to the questions I raised in my Complaint. Due to the fact that Verizon was not planning to stop manipulation with fees by using multiple tariffs for the same procedure nor they were planning to admit that when the confirmation number is issued it should be considered as a contract and Verizon must honor the contract Preliminary Objections should be dismissed.

The fact is that Verizon Pennsylvania, Inc is considered as a person after Supreme Court decision in "Citizens United". When a corporation is considered as a person all the rules and regulations must be applied to them equally as to a person. In Verizon's case they do not provide services while the telephone is on temporary

suspension or temporary disconnected and based on this discovery they cannot use any tariff they are applying now. In other words, if Verizon is a person then it should be considered a criminal offense to demand fees for services not delivered, i.e.- unplugged telephone line. It should be considered as fraud and the company must be prosecuted for dishonest services and extortion of fees.

Public should not have to complain to a governmental agency such as PA PUC about unfair business practices if PA PUC would not rubber stamp the company's demands.

I object to the aforementioned Initial Decision and request to vacate this decision and schedule a hearing.

I request that PA PUC eliminate multiple tariffs and approve only one unified tariff for one procedure that will reflect the actual cost of providing this particular service.

I request that all Preliminary Objections presented by Verizon's counsel to my Complaint must be dismissed and not permitted in the court hearing as they are a maneuvering strategy by counsel. The purpose of such demurrer is to make the PA PUC Commission to be aware that they have an obligation to the public interests and move all the parties concerned to stop Verizon from overcharging their consumers. It is obvious that Verizon's counsel by stating that my 2011 complaint is "the same" as the one of 2009 makes me to conclude that the counsel was covering for Verizon in 2010 and continues in 2011 by attempting to do whatever it takes, even falsifying evidence as long as counsel can convince the judge to shut me up and suggesting to Judge Buckley to write an Order to preclude me from filing future formal and informal complaints against Verizon even if Judge by issuing this Order will violate First Amendment rights-freedom of speech and expression.

### **STATEMENT OF FACTS**

1. The "Answer and New Matter" that was issued on June 17, 2011 should have been in the e-file on the stated date, but it was never e-filed; however, a hard copy was delivered to Judge Buckley. I received the "Answer and New Matter" document on September 23, 2011 and had no chance to respond to the document. Therefore Judge Buckley should not have made a decision based on the erroneous, misleading, falsifying statements contained in the document since I was not given the opportunity to respond and present the true facts.

2. The "Answer and New Matter" was written intentionally to confuse the Judge and me. In this document there is an alphabetical and numerical sequence that doesn't correspond with my complaint issues. My complaint was not written in this format. (Does not contain an alphabetical or numerical sequence) The "Answer" written by the counsel contains no answer to my questions, nor does it prove that my facts presented in the complaint are unsubstantiated. The "Answer" of 2011 is discussing Complaint of 2009 and doesn't address questions regarding flawed operational procedures and actual fees of temporary disconnected and temporary suspended telephone lines, but provides a tariff for the telephone in full use. The "Answer" is full of false statements and in the opinion of counsel doesn't have to respond or prove. It is insane to even have a tariff for something that is not in use and disconnected. Therefore this document doesn't have any value. Besides, most of the answers are written with the intention of not to answer or resolve the problem that PA PUC permits Verizon to create but shows ignorance to the real questions I raised without

any response. It is ridiculous to read that all the facts presented in my Complaint were interpreted as opinions, beliefs or conclusions by Verizon's counsel and that these facts do not need a thorough investigation by PA PUC or do not require an answer by Verizon.

I dispute the overall intentions and attempts by the counsel to provide a document without content and ignore the responsibility of answering and admitting to wrong doing by Verizon. Counsel should never have spent time writing this document. Counsel should just have mailed empty paper and even less than 13 pages of wasted paper and ink. What is the PA PUC role to oversee these activities and stop Verizon from con techniques?

This document did not catch even an eye of PA PUC and Judge Buckley did not question this gobble-y-gook either. What should I expect from this Judge if the Judge rubber stamped ridiculous documents of no substance to the issue?

3. The Preliminary Objections that are based on the "Answer and New Matter" should be vacated because Verizon is not interested in providing good services and will continue their unfair practices of misinforming consumers of their real costs and charging their customers inflated service fees.

4. For your information, the tariffs presented in my Complaint were E-mailed to me at various times by different Verizon personnel and were not "cut and paste" but copied from e-mails I received through the years dealing with the same issue. Verizon is not willing to admit that the fees they are charging are really mysterious and that they have tariffs for services they do not provide. I did not create and make-up these multiple tariffs. These tariffs presently exist in Verizon fee documents as well as in PA PUC documents and are identified by tariff code number, issue date and page number of document, and the specific number of revision. None of these tariffs have been cancelled or deleted from the existing Verizon tariffs. For counsel to state otherwise is a misrepresentation of the facts. This is one of the problems I am complaining about, the existence of multiple tariffs for the same service. This gives Verizon the opportunity to charge different fees to different individuals for the same service. This should not be allowed by the PA PUC. PA PUC, it is your responsibility to revise, reform and establish one tariff for one operation at the time according to operational procedures Verizon has.

Therefore my Complaint must be heard and my Complaint not be dismissed.

5. It appears that Judge Buckley solely relied on Verizon's "Answer and New Matter" and the Preliminary Objections that did not reflect the items of my complaint nor respond or shed a light of revising their inconsistencies in operational procedures. It appears that Judge Buckley did not fully review my Complaints of 2009 and 2011 nor did he read my response of July 10, 2011 to the Preliminary Objections.

It should be admitted by Judge Buckley that he made his Initial Decision under pressure from Verizon's lobbyists and counsel who may have suggested the contents of his Order of September 14, 2011. The Judge made his decision based on a document that had no value due to the false statements. Besides, this document was missing from the e-file system and I had not seen the document until after the Judge made his decision.

Therefore I object to Judge's Initial Decision.

6. I do not comprehend why PA PUC accepted a document for Judge Buckley to read that doesn't substantiate any relativity to the facts and why Verizon's document was named "Answer" if the document doesn't have any answers to the questions presented in my Complaint but in actually, fully denied the facts by falsified statements?

7. Does PA PUC represent the interests of the public or is it only a façade for the corporations? This is the question that must be answered.

8. Judge Buckley, willfully blinded, issued an Initial Decision and Order based on Verizon's lobbyist team who probably suggested and presented this Initial Decision for him to fulfill Verizon's wishes. This is preposterous for Verizon to engage in such antics, besides this is illegal.

9. I request that Judge Buckley be replaced by an unbiased judge to hear this case since Judge Buckley prejudicially made up his mind to benefit the corporation and help them absurdly to continue extorting fees from the consumers to pay for undeliverable services. PA PUC, instead of fulfilling their obligations to the public by making Verizon to explain why they continue their unfair practices, is trying to shut up the public who questioned these practices by granting the Preliminary Objections and dismissing the public Complaint. It appears that PA PUC is there to protect corporations from the consumers who question these incredulous procedures.

10. Did Judge Buckley violated my First Amendment rights of freedom of speech and expressions by issuing his Initial Decision and Order? Was Judge Buckley inappropriately influenced by Verizon in that he wrote an Order to shut me up when Verizon is trying to extort fees from the consumers by having PA PUC approve tariffs for services they do not provide?

I request that a hearing be scheduled for Case Docket **C-2011-2243183**.

### **ARGUMENT**

"When facts are treated as if they were opinions, when there is no universal standard by which to determine truth in law or in the reporting of the events, the world becomes a place where lies become true, where people can believe what they want to believe, where there is no possibility of reaching any conclusion not predetermined by those who interpret the law to their convenience, the place becomes impossible to tolerate. The corporations have little interest in ethics, values, integrity or morals. They know what they have to do, as the titans of the industry remind us, for their stockholders. They are content to increase profit at the expense of those who demand fair practices. This new oligarchic class is turning America into a dictatorship, where people have no rights, no voice, and no options. I see a respectable established system of power that has accepted grand corruption as natural part of its daily business." Christopher Hedges stated in his book "Empire of Illusions".

I asked Verizon to put my telephone on temporary suspension for the first time in 2006 and was given a confirmation number and a fee total of \$8.0 a month including taxes. At that time I questioned why when the telephone is on suspension there is a fee for Voice service if there

is no Voice service needed since the phone is unplugged from the circuit. Nobody at Verizon from Customer Service to upper management was able to respond to my question.

The next year, 2007, I was given a fee of \$1.0 a month including taxes for the suspended line. My question was why was there a difference in fees for the same service from 2006 to 2007. I was told it was a promotion but why was it a promotion and an established fee on a regular basis?

In following years the costs were fluctuating and that became another question for Verizon. Why is there a difference in cost for the same temporary suspension of telephone service? I requested Verizon to send me their tariffs. It was amazing that these tariffs were based on Bell Atlantic fees and that these tariffs are still in effect. I continued to have questions for Verizon of why they continue to charge telephone line fees when basically the telephone is disconnected from use. Technically, I perfectly understood that when the telephone is on suspension it should not be able to provide service because the line is actually disconnected from the circuit on Verizon's site. All the explanations to my questions that I received from various Verizon's representatives didn't make any sense.

Then in 2009 when I again put the telephone on temporary suspension and was given a fee to pay as though the line was active and in use, I was furious because it became obvious that Verizon was basically defrauding the consumer and these tariffs were approved by PA PUC. I decided to temporarily disconnect my telephone line because I was told that there were no fees for this service. That information inspired me to file a complaint with PA PUC to determine the difference in the technical procedures of a temporary disconnected line and a line on temporary suspension and their respective actual costs. I requested that Verizon furnish me all the costs involved and the differences in operational procedures. As of today, besides the harassment from Verizon, I did not receive any reasonable response with the data I requested in the hearing of 2010, nor did I receive a response from PA PUC. These were the issues of 2010 hearing and basis for the complaint docket No. C-2009-2150021. How does this complaint relate to the complaint of 2011? There are different issues raised in both complaints and for unknown reasons they were combined by counsel of Verizon to avoid further discussions about discrepancies of Verizon practices. It is understandable to come up with Preliminary Objections and deny the facts like what I described never happen at Verizon. PUC, stop pampering Verizon, they are guilty!

Following are quotes and excerpts from the hearing of 2010:

**"My intent to request the hearings were not to settle the monetary dispute between Verizon and me, it was not to discuss whether Verizon violated any Commission's rules but to make sure that PA PUC will do their job by representing the interests of the public as their office is named Public Utility Commission and ask Verizon to prove that they have extra expenses when the phones are not in use on temporarily suspension and to provide the actual costs to them when they apply fees to the consumer; to provide actual costs when the phones are temporarily disconnected; to provide the difference in actual procedures and costs for both activities.**

**It was outlined that the existing tariffs are outdated and must be reviewed after the hearing. They do not reflect the actual costs of the services. This**

**was the reason for me to come and ask PUC to initiate and approve new changes in existing tariffs for temporary suspended telephones. The subject matter was to identify the difference in Verizon's services and costs between telephone on temporary suspension and temporary disconnected telephone. In both cases they are not functioning numbers, they are not in use and Verizon doesn't provide any services to these numbers. Disconnected temporarily or suspended temporarily needs the same terms of tariffs to apply fees. The testimony of Ms. Ryan proved that in both procedures when the phone is on temporary suspension or temporary disconnected the phone lines are disconnected and therefore should not have any fees applied. "**

**This is why I suggested that PUC request from Verizon to modify their tariffs to suit the requests of the public. If PUC doesn't have laws or legislations that are supposed to be in effect to protect consumers than it is time to have them because it is apparent that Verizon abuses the consumers with the PUC's help.**

**These were the subject matter discussed in 2010 hearings. Besides, the testimony of Ms. Ryan that verified and proved my question that when the phone is temporarily suspended and when it is temporarily disconnected has no difference in actual procedures on the Verizon's site.**

Why couldn't Judge Buckley understand the difference between two Complaints?

Arbitration for consumers, or small business against big business is typically a losing battle. Arbitration service providers are documented by studies to give biased rulings. It is a secret system of justice with virtually no rules and no evidence or records. Arbitrators are most often hired by providers that serve big businesses (repeat customers), not by any one individual (who may file one claim in a lifetime), and those arbitrators have a documented tendency to rule with the repeat customer and against the individual.

In Findings of Fact, Judge Buckley misinterpreted the real facts in Complaint Docket No. C-2011-2243183 and what I was questioning.

These are the series of questions I raised in Complaint C-2011-2243183 and Judge Buckley missed the important issues to differentiate the two complaints:

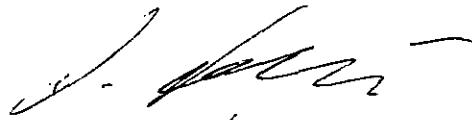
1. Why does Verizon have an Escalation Group?
2. What is a main goal of this group?
3. Why different set of tariffs were applied to my account if the contract with confirmation number was issued?
4. Who in Verizon overrides the contract terms and disregards the confirmation numbers and delete recordings of the conversations?
5. Why these recorded conversations are not kept for future references and why they are being deleted?

6. Why Escalation group honored my contract after four months of disputes between Verizon's different customer service locations and me?
7. Why the confirmation numbers issued by Verizon's Customer Service Group have no value and are annulled as soon as they are issued and there are no records of the confirmation number to be found in their system?
8. What does it mean and what is the purpose to issue a confirmation number when they are not in the system and cannot be retrieved at any future date to verify Verizon's commitment to provide particular services for the fees as a contract?
9. Isn't a confirmation number a contract/understanding between Verizon and the customer that supposedly has mutually agreed terms and conditions?
10. Is PA PUC aware of the existence of Escalation group?
11. Why PA PUC is unwilling to eliminate this group?
12. Why Judge Buckley decided that Complaint Docket # C-2009-2150021 is about tariffs and billing dispute if the Complaint was about a technical matter that was discussed during the hearings? I request that the recording of the hearing be presented in court at this time because Verizon's representative was giving a testimony where Ms. Ryan did not object to my findings that to suspend a telephone line has the same procedure as to disconnect the telephone line and therefore there should not be any fees applied.
13. Did Judge Buckley listen and review the recorded tapes of the September 23, 2010 hearing? It seems that he did not, but he prejudicially listened to Verizon's wishes to shut me up.
14. How can the consumer trust PA PUC and their decision making if they are rubber stamping whatever companies are asking them to approve? The PA PUC should be obligated to protect the public and not be beholden to the utility companies.
15. When Verizon issues a confirmation number for a particular service/product line with particular fees, how can they cancel this product and present a different product with different fees without a new agreement of the other party?
16. Isn't it the responsibility of PA PUC to oversee these discrepancies?
17. Why did Judge Buckley misinterpret and combine two different subject matters together as one subject? If Judge Buckley cannot differentiate between two different subject issues in different Complaints, then I am requesting a different judge who will not be biased and will not dismiss what must be considered as violations on the part of Verizon?
18. It is in the public interest to have a hearing since PA PUC doesn't oversee the maneuvering techniques of Verizon and doesn't stop them from continuing those techniques.

19. None of the aforementioned questions were raised or discussed in the hearing of September 23, 2009. None of the questions raised in my Complaint Docket No. C-2011-2243183 was answered by Verizon or PA PUC.

Based on these facts, that both complaints have a different set of issues and due to the lack of response by Verizon or PA PUC to my legitimate and important complaint regarding irregularities in operation within the company, I respectfully request that the "Initial Decision to grant Preliminary Objection" be dismissed and the Order signed by Judge Buckley be vacated.

Therefore I request that the hearing be held to serve the public interest. I am asking you to judge in non-bias way in this hearing and put an end to frivolous extortions from Verizon and favor the public interest and recommend that PA PUC must review unjustifiable fees they allow Verizon to have and make Verizon to revise their tariffs to make Verizon's services affordable to continue to have Verizon as a telephone line provider.

  
Lidia Stefan

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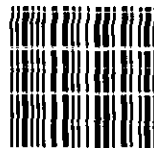
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