



**Jeanne Shearer**  
Vice President, State Government Affairs  
Windstream Communications  
124 East Main Street  
Ephrata, Pennsylvania 17522  
(o) – 717-738-8169  
(m) – 717-201-3537

Jeanne.Shearer@windstream.com

May 17, 2012

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

**RECEIVED**

**MAY 17 2012**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

Re: Francis and Mary Clare Zuroski v. Windstream Pennsylvania, LLC  
Complaint Docket No: C-2011-2266247

Dear Secretary Chiavetta:

Windstream Pennsylvania, LLC (“Windstream” or “Company”) has addressed the above-mentioned Complaint of Francis and Mary Clare Zuroski and provides this letter pursuant to the Commission’s regulations at 52 Pa. Code §5.24(b)(2) requesting that the existing complaint docket be marked closed as described herein. An affidavit to this letter is enclosed. Please date stamp the enclosed copy and return to me in the self-addressed stamped envelope.

Windstream has worked diligently with Ms Zuroski to identify and address the cause of the Complaint. Over the past months, the Company has performed extensive maintenance and upgrades to the facilities, all in an effort to isolate and address the source of the customer’s Complaint. In addition, the Complainant is aware of the Company’s plans which are already in progress to upgrade facilities to expand broadband in the customer’s service area, and that the upgraded facilities and equipment are expected to resolve the Complainant’s concerns. The customer’s current service is derived from manufacturer discontinued equipment that is linked back to the Johnsonburg central office via conventional copper T1 trunks, and the upgraded facilities will replace the copper span lines with fiber and the manufacturer discontinued switch will be replaced. The Company is committed to completing the project in August 2012 barring any unexpected or extenuating circumstances.

Ms Zuroski advised the Company of extensive road construction in her area which she feels will jeopardize the Company’s ability to meet its August 2012 objective. The Company is aware of the construction and does not consider the construction or issues related to the construction an impediment of meeting its commitment to complete the project in August 2012.

May 17, 2012

Page 2

Ms Zuroski is aware of the period of time over which the Company plans to address her remaining service concerns. As of June 1, 2012 Windstream is waiving the Complainant's total monthly charges through August 2012, and will apply a courtesy credit of \$50.00 each month for a minimum period of three months, plus an additional \$50 per month credit for each partial or full month beyond August 2012 that the project is not completed, up to a maximum of 1 year of these \$50 per month credits. In addition, in Windstream's opinion there is a factual issue as to whether the customer is properly on residential service or should be paying higher business rates. Windstream is willing to waive its right to seek retroactive compensation for that difference as part of this settlement.

In consideration of the several facility improvements the Company has made, the Company's continued commitment to complete the project in August 2012 despite knowledge of road construction, the waiver of charges while Ms Zuroski's service issue is addressed, the extension of the courtesy credit until the completion of the upgrade, the waiver of the Company's rights to seek retroactive compensation for service reclassification, and the Company's acknowledgement that the Commission's closing of this complaint docket is without prejudice to Ms Zuroski's right to file a new complaint upon the completion of the broadband project if Ms Zuroski continues to believe her service is unsatisfactory, Complainant has acknowledged to me that she no longer wishes to pursue the above-docketed Complaint. Complainant has also been advised that she has ten (10) days to object in writing to this letter.

Accordingly, if no objection is filed, Windstream respectfully requests that the above complaint docket be marked closed, without prejudice to Ms Zuroski's filing a new complaint as noted above. If you have any questions regarding the resolution of this Complaint, please feel free to contact me at 717-738-8169.

Sincerely,



Jeanne Shearer

cc: Certificate of Service

**RECEIVED**

**MAY 17 2012**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :  
:  
:  
COUNTY OF LANCASTER : ss

**JEANNE SHEARER**, being duly sworn according to law, deposes and says that she is Vice President for State Government Affairs of **Windstream Pennsylvania, LLC**; that she is authorized to and does make this affidavit for it; and that the facts set forth in the attached letter are true and correct to the best of her knowledge, information and belief and she expects the said **Windstream Pennsylvania, LLC** to be able to prove the same at any hearing.

*Jeanne Shearer*  
\_\_\_\_\_  
Jeanne Shearer  
Vice President, State Government Affairs

Sworn and subscribed before me this 17 day of May, 2012.

*Lisa K. Copenhaver*  
\_\_\_\_\_  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Lisa K. Copenhaver, Notary Public  
Ephrata Boro, Lancaster County  
My Commission Expires Oct. 18, 2015  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

My Commission Expires: Oct 18, 2015

**RECEIVED**  
MAY 17 2012  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

Francis and Mary Clare Zuroski, :  
Complainants :  
 : Complaint Docket No. C-2011-2266247  
v. :  
 :  
Windstream Pennsylvania, LLC, :  
Respondent :

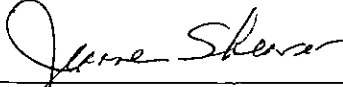
---

CERTIFICATE OF SERVICE

---

I hereby certify that on this 17th day of May, 2012, I did serve a true and correct copy of the foregoing document upon the person below by first class mail, postage prepaid, as follows:

Francis and Mary Clare Zuroski  
1456 Maple Lane  
Wilcox, PA 15870

  
\_\_\_\_\_  
Jeanne Shearer  
Vice President, State Government Affairs

**RECEIVED**  
MAY 17 2012  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**1 From**  
Date 5/17/12 Sender's FedEx Account Number 121178982

Sender's Name Jeanne Shearer Phone 717 738-8169

Company Windstream

Address 124 E Main St 5

City Ephrata State Pa ZIP 17525

**RECEIVED**

**2 Your Internal Billing Reference**  
MAY 17 2012

**3 To**  
Recipient's Name Rosemary Chavetta Phone PA PUBLIC UTILITY COMMISSION

Company PA Public Utility Commission **SECRETARY'S BUREAU**

Address Commerce with Keystone Building **01** HOLD Weekday  
We cannot deliver to P.O. boxes or P.O. ZIP Codes. Dept./Floor/Suite/Room  
FedEx location address REQUIRED. NOT available for FedEx First Overnight.

Address 400 North Street **31** HOLD Saturday  
Use this line for the HOLD location address or for continuation of your shipping address. FedEx location address REQUIRED. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.

City Harrisburg State Pa ZIP 17105

**4 Express Package Service** \* To meet locations. **Package up to 150 lbs.**  
NOTE: Service order has changed. Please select carefully. **For packages over 150 lbs., use the new FedEx Express Freight US Airbill.**

**Next Business Day** **2 or 3 Business Days**

**06**  FedEx First Overnight  
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

**01**  FedEx Priority Overnight  
Next business morning. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

**05**  FedEx Standard Overnight  
Next business afternoon. Saturday Delivery NOT available.

**49**  NEW FedEx 2Day A.M.  
Second business morning. Saturday Delivery NOT available.

**03**  FedEx 2Day  
Second business afternoon. Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

**20**  FedEx Express Saver  
Third business day. Saturday Delivery NOT available.

**5 Packaging** \* Declared value limit \$500

**06**  FedEx Envelope\* **02**  FedEx Pak\* **03**  FedEx Box **04**  FedEx Tube **01**  Other

**6 Special Handling and Delivery Signature Options**

No Signature Required  
Package may be left without obtaining a signature for delivery.

**10**  Direct Signature  
Someone at recipient's address may sign for delivery. Fee applies.

**34**  Indirect Signature  
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. Fee applies for residential deliveries only.

**01**  SATURDAY DELIVERY

**Does this shipment contain dangerous goods?**

One box must be checked.

No **04**  Yes  
As per attached Shipper's Declaration

Yes  
Shipper's Declaration not required.

**06**  Dry Ice  
Dry ice, 9, UN 1845

Cargo Aircraft Only

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.

**7 Payment Bill to:**

Enter FedEx Acct. No. or Credit Card No. below. Obtain recip. Acct. No.

**1**  Sender  
Acct. No. in Section 1 will be billed.

**2**  Recipient **3**  Third Party **4**  Credit Card **5**  Cash/Check

Total Packages \_\_\_\_\_ Total Weight \_\_\_\_\_

\_\_\_\_\_ lbs. \_\_\_\_\_

Credit Card Acct. \_\_\_\_\_

\*Our liability is limited to \$100 unless you declare a higher value. See the current FedEx Service Guide for details.

612

