

Via e-filing

Rosemary Chiavetta
Secretary, PA PUC,
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P.O. Box 3265
Harrisburg, PA 17105-3265

April 27, 2013

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIDIA SHAN –

V

VERIZON PENNSYLVANIA, INC

Docket # 2009-2150021

PROTEST AGAINST VERIZON'S "MOTION TO STRIKE AND ANSWER."

Dear Secretary Chiavetta,

Enclosed for filing is my Protest against Verizon's "Motion to Strike and Answer." I protest against "Motion to Strike and Answer" documents to be accepted by OSA for filing and consideration.

I protest against Verizon's obstruction and obstinate attitude. I protest against Verizon's "Answer" to my Petition for Rescission as it doesn't have a trace of proving their burden that is that when the circuit board is switched off they still provide a signal to the phone line. PPUC must curtail the swell of useless papers from Verizon and abstain from protecting Verizon's unjustifiable tariffs. I reproach PPUC that they didn't identify properly who had a burden of proof and didn't tackle in time of their ID, Commission's decision and order what was anticipated from PPUC to do.

As I requested in my correspondence of April 16, 2013 for the Office of Special Assistance to intervene and block the bottomless irrelevant correspondences without proven burden from Verizon and annul all of their previous paperwork to Docket # 2009-2150021 under the premise of no content to the issues of my complaint.

It is inconceivable to realize that Verizon continues using PPUC' regulations to shield them from not making an honest admittance and abdicate their illusional theory that the tariffs for suspended land lines are justifiable in Philadelphia if in other states the tariff for suspended land lines are in order with actual operational procedures.

It is Verizon's counsel who instigated me to write the reply of April 16, 2013 due to the fact that Verizon failed to prove their burden in their "ANSWER." If Verizon apparently cannot prove their burden then the fees for the suspended telephone lines becomes unjustifiable and an extortion. This is why Verizon is unwilling to substantiate reasons of avoidance to respond to my complaint, my letter of January 25, 2010, Exceptions to ID and other correspondences. It was increasingly alarming because PPUC accepted the fabricated lies as valid documents against my complaint. In PPUC subject list there is a: "REPLY to ANSWER"; therefore, I have rights to respond to Verizon's illusional "ANSWER" that had no record of proving their burden and my April 16, 2013 Reply must stand as a document for evaluation and

consideration. The trove of unrelated paperwork from Verizon must be blocked from any consideration by OSA.

I protest against Verizon's continuation of extortion fees from consumers including me when they shamelessly filed for collection of unpaid bills if my phone was in suspension and there was no services given. Besides, a confirmation number was issued with flat fee assigned for nine months to my phone.

Verizon is not entitled to use PPUC' regulations because the company had been deregulated and therefore the regulations they refer to are not applicable to them.

Verizon, stop milling water in the stoop, admit to your violations of Utility Code! Verizon's tariff for suspended wire land lines are not in compliance with any logic of Utility Code as no Utility Code would sponsor looting so openly.

On April 13, 2012 ALJ issued ID stating that I have a burden of proof to sustain that Verizon violated Utility Code. Since there are written many Utility Codes by PPUC and there was no indication of a particular Utility Code number in question, there was no reason for me to accept the abstract of the Initial Decision. I strongly believe that the ID of ALJ was prepared by Verizon's counsel because the content of ID was mostly copy and paste from previous correspondences from Verizon.

I have no intentions to attack anybody at PPUC but when a legitimate complaint was filed and after three years of shuffling the papers a decision was made without proving that my complaint had no virtue; my complaint was not satisfied; the decision didn't yield to proper resolution. I looked into the root of the problem and identified that ALJ deliberately mishandled my complaint. ALJ together with Verizon made a mockery of a legitimate complaint. ALJ was bias, was in conflict of interest and was under duress to sign ID that was meritless and had nothing to do with the premise of my complaint. I have rights to question these activities and request a new hearing. I definitely proved that Verizon violated Moral Utility Code and the Business Code of Ethics if there is one written by PPUC. The premise of my complaint was not based on identifying which Utility Code Verizon violated. The premise of my complaint was to question Verizon whether they switch off the circuit board when they put telephone in suspension. That was my burden of proof. Verizon's Ms. Ryan in her testimony responded that they do switch off the circuit and therefore the fees for these non-existing services become unjustifiable and unreasonable because there is no incoming or out coming signal to a particular telephone line. However Verizon forces the consumers to pay for the line as if the line is in full operation. I strongly believe that the burden of proof continues to be on Verizon to sustain that the charges for suspended wire land lines are reasonable that when the circuit board is switched off there is still incoming or out coming signal. Otherwise the charges become an extortion and unjustifiable. I did prove that the tariffs for the suspended line are unreasonable because:

1. They do not reflect the actual operation procedure and that is that when the phone is in suspension, the switch board is off on that line as being disconnected; there is no incoming signal or out coming signal, touch tone, dial tone and voice service are dysfunctional. The charges in the tariff for this particular product are stating that consumer must pay a full price as the phone is in operation however there are no services plus applied taxes on non-existing services when the phone is literally dysfunctional;
2. Verizon provides in other states where competition exists no fees or minimal flat fees for the same services as telephone in suspension. It is the same company that abdicates and provides flexible fees.

So, what is wrong with PPUC to eliminate the tariff and accept what the consumers of other states already experience? Why does Verizon still continue to deny what was admitted in hearing by Verizon's Ms. Ryan? Verizon, you do not provide services, you cannot charge for them and obviously you cannot tax for non-existing services. This is the burden Verizon never proved that these charges were reasonable.

Not only Verizon is not in compliance with Chapter 30 because they do not provide competitive services, they also manage to discriminate the consumers by their zip code. Which Utility Code provides for Verizon to shamelessly loot in daylight?

Adam Smith in his writings warned: "The damage done when government interferes in the market by guaranteeing profits or handing out gifts. This damage can exceed that cause when government taxes unwisely or imposes rules that needlessly obstruct commerce."

Today bounties are everywhere. Whole industries outfit themselves to catch all they can. Most of these subsidies are available only to corporations. However, everyone is forced to finance these subsidies. This is the effect on everyone who subscribes to Verizon's services in Philadelphia especially when there is no competition and Alternative Form of Regulation forces consumers to fully benefit Verizon's profits.

PPUC has enacted new rules that have created rigged markets. These rules have weakened and even destroyed consumer protections while increasing the power of the already powerful.

I protest against Verizon's "Motion to Strike" document to be accepted by OSA for filing.

I request PPUC to amend Chapter 30 and Alternative Form of Regulation. In order to protect consumers from unjustifiable, unreasonable fees from Verizon I request PPUC to eliminate the tariff for suspended wire land lines as the tariff is not in compliance with Utility Code and issue a new tariff that will reflect the actual operation procedure. I strongly believe that it is the responsibility of PPUC to satisfy my requests as the Commission does have power of authority over Verizon.

I request to schedule a new hearing to clarify the unjustifiable tariff.

Thank you for your consideration.

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