

PENNSYLVANIA PUBLIC UTILITY COMMISSION

HARRISBURG, PA 17105

Curt Eckroth

v.

Verizon Pennsylvania Inc.

PUBLIC MEETING APRIL 18, 2013

2279168-ALJ

Docket No. C-2011-2279168

STATEMENT OF COMMISSIONER PAMELA A. WITMER

Before us for consideration is the Initial Decision (I.D.) sustaining in part and denying in part the Formal Complaint of Curt Eckroth (Complainant) at the above referenced docket. On December 5, 2011, Mr. Eckroth filed *pro se* a Formal Complaint against Verizon Pennsylvania Inc. (Verizon PA or Company), alleging frequent service outages at his residence for a number of years. In his complaint, Mr. Eckroth requested that the Commission order Verizon PA to fix the telephone lines to his residence. In July 2012, Mr. Eckroth switched telecommunications carriers and left Verizon PA's network.

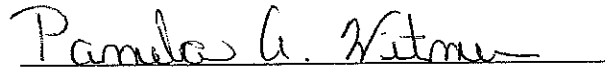
According to Mr. Eckroth and verified by Verizon PA, there were service quality issues concerning the Complainant's voice service at numerous times during a three year period. The testimony at the evidentiary hearing in this case indicated that Verizon PA made 40 dispatches to the Complainant's residence in response to his service requests. Of those 40 dispatches, the Company claimed that it found no trouble on the line 14 times and twice found no trouble on the line because it was related to Mr. Eckroth's customer-provided equipment. I.D. at 5, N.T. 52-53.

Verizon PA also indicated in its Answer in this proceeding that the Complainant had previously filed several informal complaints as well as the current Formal Complaint. Verizon PA Answer at 1-2. Verizon PA further indicated that Mr. Eckroth had called the Company's repair department many times over the last several years regarding intermittent dial tone, static on the line when it rained, and problems connecting to telephone numbers he actually dialed. *Id.* at 2. In its Answer, Verizon PA explained that, "as a preventative measure for the Borough of Bath, based on Mr. Eckroth's and other customers' related issues, 3,500 feet of cable would be replaced along with corresponding utility poles." *Id.* The Company further committed that the extensive facilities upgrades would be completed by the end of April 2012. *Id.* at 2-3. However, despite these numerous service complaints, the Administrative Law Judge (ALJ) found that Mr. Eckroth's service problems were never permanently fixed and the 3,500 foot cable upgrade was neither completed by Verizon in April 2012 nor at the time of the hearing in September 2012. I.D. at 3.

I am greatly troubled by this case because of the frequency and severity of the service problems experienced by Mr. Eckroth. As the record clearly demonstrates in this proceeding, Verizon PA made numerous repairs to temporarily address the service issues communicated by the Complainant, but never made extensive repairs or upgrades to outside plant to permanently address the service issues

repeatedly experienced by the Complainant. It appears from the record in this case that at least 24 service related repairs did not prompt the Company to take action on the Complainant's service issues in a timely manner. Therefore, I fully concur with the ALJ's conclusions that Mr. Eckroth was rendered inadequate service by Verizon PA in violation of Section 1501 of the Public Utility Code and the Commission's regulations.

DATE: April 18, 2013

Handwritten signature of Pamela A. Witmer in cursive script, underlined.

PAMELA A. WITMER, COMMISSIONER