

**September 14, 2013**

**Via Electronic Filing**

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

**Docket #2013-2371560**

**LIDIA SHAN**  
**V**  
**VERIZON PENNSYLVANIA, INC**

**PETITION TO ASSIGN A NEW IMPARTIAL ALJ  
FOR SCHEDULED HEARING ON SEPTEMBER 27, 2013**

**CERTIFICATE OF SERVICE.**

Dear Ms. Chiavetta,

Attached for filing is my **Petition to Assign a new impartial ALJ for scheduled hearing on September 27, 2013** with the Commission in connection with complaint

Docket #2013-2371560.

My "Petition" 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 "Petition" and Certificate of Service to your attention and to the opponent.

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

Respectfully,

Lidia Shan,  
301 Byberry Rd, Apt. #F-14,  
Philadelphia, PA 19116  
215-677-6471  
[smellsense@aol.com](mailto:smellsense@aol.com)

cc: Steven K. Haas,  
Counsel for Verizon Pennsylvania Inc.  
Hawke McKeon & Sniscak, LLP  
100 North Tenth Street,  
Harrisburg, PA 17105-1778

**VIA E-FILING**

**September 14, 2013**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Docket #2013-2371560**

**Lidia Shan**

**v**

**Verizon Pennsylvania, Inc.**

**PETITION TO ASSIGN A NEW IMPARTIAL ALJ  
FOR SCHEDULED HEARING ON SEPTEMBER 27, 2013**

I file this petition to assign an impartial ALJ to decide independently in the hearing of docket #2013-2371560 on September 27, 2013.

In support thereof I aver that on or about September 5, 2013 ALJ Christopher Pell in his reply to my letter stated that he is not going to listen to the closed docket #2009-2150021. The docket number may be closed but the issue of illegitimate tariff for suspended telephone land lines remains open without resolution. Assigned ALJ Christopher Pell in my opinion is not an impartial adjudicator but rather a prejudice, bias ALJ, therefore he is not an appropriate judge to make a difference in resolving the issue I raised over four years ago. The unresolved issue continues due to the fact that the complaint did not receive an impartial judgment before. I do not believe that in Christopher Pell's court hearing I will receive fair justice.

My new complaint docket #2013-2371560 is a result of willful unwillingness of PPUC to resolve issues of docket #2009-2150021 and docket # 2011-2243183. The attachments to the docket #2013-2371560 was my reclamation to the Chairman of PPUC where I openly stated and expressed my dissatisfaction with handling the issue of legality of the tariff for suspended lines and irregularities in the process of obtaining a fair justice at PPUC' hearing.

In the September 12, 2013 notice ALJ granted the "Motion to dismiss" my reply to Verizon's "Answer" under the name "New Matter." ALJ may dismiss the name of New Matter but the statement in New Matter remains open without proper attention from Verizon or ALJ. It was highly inconvenient for Verizon to identify the New Matter and write a Preliminary Objections like they did in docket #2011-2243183 instead of "Answer." In reality they could not object to my statement that the intent of filing with collection agencies was a pure revenge for questioning their unsubstantiated tariffs. But the response to Verizon's non-"Answer" is a New Matter and I stand by it as it reveals the inappropriate action from Verizon against my integrity. Basically there is very little difference in the content of both complaints and that is that in both complaints I was challenging the confirmation numbers issued with flat fees assigned for suspension of services for the particular time period. In both requests to suspend the line, conversations were recorded at that time and by Industrial Regulation similar to ISO 9000-th those recordings or transcripts must be logged in daily by the representatives or perhaps correlate with the confirmation number somewhere else in appropriate documentation. The difference between these two complaints is that at this time Verizon decided to punish me and discredit my

financial reputation. In responding to both complaints Verizon intentionally omitted the material fact concerning the issued confirmation numbers that were the main point to question Verizon in both complaints. In response to my complaint in docket #2011-2243183 Verizon wrote Preliminary Objection and New Matter. It was New Matter then and it is New Matter now. But then Verizon made a mistake by acknowledging it as a New Matter and later manipulated the whole P.O. deciding to write up an excuse to preliminary close complaint in entirety by stating that the docket #2011-2243183 is the same as docket # 2009-2150021 by misleading and concealing the fact of an issued confirmation number in question. By closing the docket #2011-2243183 without resolution and proper decision ALJ D. Buckley intentionally failed to Order Verizon to specify the procedure of issuance and validity of confirmation numbers to the consumers, specify the conditions under which confirmation numbers are issued, the procedures of where the recordings or transcripts of issued confirmation numbers are logged, stored or documented; how long they must be kept for references, the value of confirmation number, what could be the reasons to annul or not recognize the issued confirmation number, etc. All these questions were not discovered nor discussed in the ALJ D. Buckley Order to dismiss my complaint because they were written by Verizon's legal team without involvement of OSA. All these irregularities in operational procedures of issuance of confirmation numbers by Verizon and the values in 2011 were never discovered by ALJ D. Buckley therefore I had to file in 2013 another complaint concerning the same issue of confirmation number. However if in 2011 Verizon finally recognized their own confirmation number and settled my account, in 2013 Verizon deliberately decided to discredit my financial integrity by filing with collection agency of alleged delinquency that in reality is a lie and extortion. I do not owe Verizon a penny. Verizon has no evidence to prove otherwise. Verizon's "Answer" to the docket #2013-2371560 did not discuss in the entire "Answer" the main point of my complaint and that is a confirmation number that indicated my fee for suspended line for 2011-2012. Verizon knowingly blanked this information out from the "Answer." When Verizon intentionally omitted the main argument as a "confirmation number" from their responses in both complaints, what is the Utility Code number I should apply to strike this activity of Verizon? What are the comments and recommendations OSA issued concerning these irregularities? In the list of suggested topics on your web site I could not find any appropriate topics that could be applied to stop Verizon from continuously and deliberately concealing the facts. ALJ Christopher Pell apparently did not comprehend the main issue of the complaint or did he question Verizon why their "Answer" doesn't reveal the answer to my complaint, nor did he advise Verizon to respond accordingly. Highly illogical conduct I experienced and questioned OSA procedures that supposed to play an important role in properly presenting for the Commission's decision making in resolving complaints.

It is irrelevant whether one ALJ or another will close the entirety of the docket number, grant the "Motion to Dismiss", do not accept as an evidence important facts for properly addressing the main concerns of the complaint to obtain a fair justice or intentionally mishandle the complaint going to the extent of obstruction of justice, the issues of the complaint remains open until it will be fully resolved. All these irregularities in PPUC' conduct makes me to believe that PPUC is not aimed to protect the interests of the consumers and ALJ are instructed to make sure that the consumer's complaints will never see the fair justice.

The prerequisite to the scheduled court hearing is that PPUC must provide an impartial independent judge who will study all my correspondences filed previously and accept them as one issue that must be considered from the point of view that suspended land line is a disconnected line and doesn't have a signal resulting in unavailability of dial tone, touch tone, voice service. The issue cannot be divided or

separated into different subject matters. New assigned Judge must to order Verizon to provide required documentation prior to the hearing. ALJ Christopher Pell failed to recognize the full scope of the issue, failed to order Verizon to release necessary data I requested many times and decided to separate what cannot be separated. ALJ Christopher Pell advised me that he is not interested in understanding the scope of issues I raised in my complaints, he is not interested to hear what I have to say, he granted the "Motion to Dismiss" which is an important part of my complaint then why was he assigned to be a judge for this case if he is not interested to resolve nothing? Why should my tax dollars be wasted on the proceeding producing nothing, resulting in nothing?

From reading the correspondences from ALJ Christopher Pell I anticipate that ALJ will continue the stonewalling of the issues of my complaint in the same manner as ALJ Cynthia Fordham. Besides, ALJ Christopher Pell advised me to obtain the recordings or transcripts of related conversations with Verizon's representatives on my own when Verizon is hiding these evidences for years and would not volunteer to release them upon my request. It is a matter of record that I requested this important information during my 2010 hearing, in my formal complaint of 2009, 2011 and various correspondences since that time. ALJ should issue an Order for Verizon to release these documents for the hearing but as of this date he has not.

Therefore I petition to assign a new impartial ALJ to finalize the open issues raised over four years ago concerning the illegitimate unsubstantiated approved by Commission tariff for suspended land lines.

Respectfully,

Lidia Shan