

October 4, 2013

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth keystone building  
400 North Street  
Harrisburg, PA 17120

Re: Tyrone Gibbs v Global Tel Link Corporation  
Docket No C-2013-2358084

Dear Secretary Chiavetta:

Enclosed for filing is the Complainants Motion For Leave To File  
Subpoena's in the above referenced matter.

The parties of record and the Presiding Officer have been served as  
evidenced by the attached Certificate of Service.

Sincerely,



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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Tyrone Gibbs

v

Docket No C-2013-2358084

Global Tel Link Corporation

ORDER

AND NOW, to wit, this        day of        , 2013, upon consideration of the  
within Motion For Leave To File Subpoena's under 52 Pa. Code §5.421, it  
is hereby ORDERED AND DECREED that Complainants Motion be GRANTED

BY THE COURT:

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Meillo, K

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Tyrone Gibbs

v

Docket No C-2013-2358084

Global Tel Link Corporation

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**COMPLAINANT'S MOTION FOR LEAVE TO  
FILE SUBPOENA'S**  
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Pursuant to 52 Pa. Code §5.421 Tyrone Gibbs("Complainant") seeks to petition court to revisit issue allowing him to seek subpoena powers and call forth witnesses from Respondents("GTL") to complete record.

**I BACKGROUND**

On or about March 25,2013, Complainant filed with the Commission a Formal Complaint against GTL alleging service issues with the phone system at the State Correctional Institute at Graterford, where Complainant is an inmate. Following unsuccessful attempts by Complainant to settle the matter, an initial hearing date was set for August 8,2013. Because of GTL's delays in providing Discovery Material, said hearing was postponed until October 3,2013. After being Compelled by this Court to facilitate Discovery request, GTL, on Monday, September 30,2013 furnished a portion of said material. A hearing commenced where Complainant requested particular service members from GTL and was denied, after which GTL called upon their own suprise witness.

**II ARGUMENT**

From Complainants limited layman understanding of Rules of Civil Procedure 4003.5.(a)(1)(3)(b) and procedures established in 52 Pa.Code §5.421, both him and Respondents were not faithful to your Honor's Court. Although Complainant did put this Court and Respondents on notice

concerning witnesses he would be calling, he did it via letter, incorrectly relying upon your Honor's previous generous latitude that he was given with his other letters that she did allow to be considered Motion(s).

And Respondents, in turn, forgot to put this Court or Complainant on notice concerning the witness that they called, and examined at October 3, 2013 Hearing. Complainant was blind-sided and left ill-prepared to examine someone he had no prior knowledge of. Complainant and Respondents errors should both cancel each other out. This is why, to set the record straight, Complainant is asking your Honor to allow him to formally Subpoena witnesses needed prosecute his claims, and give the Respondents the opportunity to formally alert your Honor and this Court of the witnesses they intend to bring.

Complainant seeks to flesh out a complete factual picture of events before Your Honor renders her ruling so that Your Honor's decision will have been based upon a complete record. Without certain essential witnesses he will have been denied his right to due process(i. e., to present evidence on my behalf), and Your Honor will be making a ruling based on an incomplete picture instead of the full canvas.

### III CONCLUSION

And for these reasons is Complainant asking this Court to GRANT this Motion For Leave To Formally Serve Subpoena's so that his complaint can be fully understood and the record complete.

Respectfully Submitted,



Date: October 4, 2013

Commonwealth of Pennsylvania

County of

To: DAWN ALLEN, PHONE COORDINATOR GRATERFORD  
P.O. Box 244 Graterford, Pa 19426

1) You are ordered by the Court to come to \_\_\_\_\_ at \_\_\_\_\_, Pennsylvania on \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ m, to testify on behalf of TYRONE GIBBS in the above case, and to remain until excused.

2) And bring with you the following: TRANSCRIPTS RELATED TO TECHNICAL PROBLEMS REPORTED BY INMATES COMPLAINE OF SHUT-OFFS. AND RECORDINGS OF TYRONE GIBBS' PHONE CALLS OF 9/17/13 DURING HOURS OF 8:00 PM - 8:25 PM. Along with policy for refunds

If you fail to appear or produce the documents or things required by this subpoena, you may be subject to the sanctions authorized by Rule 234.5 of the Pennsylvania Rules of Civil Procedure, including but not limited to cost, attorney fees and imprisonment.

Issued by \_\_\_\_\_

Date:

By the Court,

By

Commonwealth of Pennsylvania

County of

To: GTL Field Service Rep (at Graterford)  
12021 Sunset Hill Road, Suite 100 Reston VA. 20190

1) You are ordered by the Court to come to \_\_\_\_\_ at \_\_\_\_\_, Pennsylvania on \_\_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_ m, to testify on behalf of TURONS GIBBS in the above case, and to remain until excused

2) And bring with you the following: ALL TRANSCRIPTS RELATED TO SERVICE DND LINE PROBLEMS WITHIN GRATERFORD CONCERNING PHONE SYSTEM (Resolved and Unresolved) and listing of duties entailed in job as Service Rep

If you fail to appear or produce the documents or things required by this subpoena, you may be subject to the sanctions authorized by Rule 234.5 of the Pennsylvania Rules of Civil Procedure, including but not limited to cost, attorney fees and imprisonment

issued by \_\_\_\_\_

Date:

By the Court

By

**VERIFICATION**

I, Tyrone Gibbs, certify that the facts set forth in the foregoing Complainants Motion For Leave To File Subpoena's are true and correct to the best of my knowledge, information, and belief I understand that false statements herein are subject to the penalties of 18 P S §4904, related to unsworn falsification to authorities

*Tyrone Gibbs*  
Tyrone Gibbs

Dated: October 4, 2013

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CERTIFICATE OF SERVICE

I, Tyrone Gibbs, certify that on this date I served true and correct copies of Complainants Motion For Leave To File Subpoena's on the below-named parties by First Class Mail, postage prepaid.

Hon. Kandace F. Melillo  
Administrative Law Judge  
PA PUC  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Kevin B. Lefton, Esq.  
Senior Counsel  
GTL  
12021 Sunset Hill Road, Suite 100  
Reston, VA 20190

*Tyrone Gibbs*

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Tyrone Gibbs FS1093  
P.O. Box 244  
Graterford, PA 19426



Rosemary Chivetta, secretary  
Penn. P.U.C.  
Commonwealth Keystone Building  
400 NORTH St.  
HARRISBURG, PA 17120