



THOMAS, NIESEN & THOMAS, LLC

Attorneys and Counsellors at Law

CHARLES E. THOMAS, III
Direct Dial: 717-255-7611
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June 12, 2014

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Cheryl Zack v. Service Electric Telephone, LLC
Docket No. C-2013-2388009

Dear Secretary Chiavetta:

We are counsel to Service Electric Telephone, LLC in the above-reference matter and are enclosing for electronic filing the Company's Motion for Summary Judgment. Copies of the Motion are being served in accordance with the attached certificate of service.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By

Charles E. Thomas, III

Encl.

cc: Certificate of Service (w/encl.)
Scott Randall (w/encl.)

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cheryl Zack

v.

Service Electric Telephone, LLC

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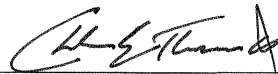
Docket No. C-2013-2388009

NOTICE TO PLEAD

TO: Cheryl L. Zack
825 W. Tilghman Street
Allentown, PA 18102

YOU ARE HEREBY NOTIFIED, pursuant to 52 Pa. Code § 5.102(b), if you do not file a written response to the enclosed Motion for Summary Judgment within twenty (20) days of the date of service of this notice, the facts set forth in the Motion for Summary Judgment will be deemed to be admitted and the Administrative Law Judge may rule on this Motion without further input. All pleadings, such as an Answer or Reply to the enclosed Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the undersigned counsel for Service Electric Telephone, LLC and, where applicable, the Administrative Law Judge presiding over the matter.

DATED: June 12, 2014



Charles E. Thomas, III, Esq. (PA ID # 201014)
THOMAS, NIESEN & THOMAS, LLC
212 Locust Street, Suite 600
P.O. Box 9500
Harrisburg, PA 17108-9500
Tel: 717-255-7611
cet3@tntlawfirm.com

Attorney for Service Electric Telephone, LLC

**Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Cheryl Zack

v.

Service Electric Telephone, LLC

:
:
:
:
:

Docket No. C-2013-2388009

**MOTION OF SERVICE ELECTRIC TELEPHONE, LLC
FOR SUMMARY JUDGMENT**

AND NOW, comes Service Electric Telephone, LLC (“SET”), by its attorney, and, pursuant to 52 Pa. Code § 5.102, files this Motion for Summary Judgment requesting that the that the above-captioned complaint be summarily dismissed. In support thereof, SET states as follows:

I. INTRODUCTION

1. SET is a competitive local exchange carrier licensed by the Pennsylvania Public Utility Commission (“Commission”) to offer, render, furnish, and supply telecommunications services to the public throughout the Commonwealth of Pennsylvania. SET has a business address of 4242 Mauch Chunk Road, Coplay, Pennsylvania 18037.

2. On October 15, 2013, the Commission served the Formal Complaint of Cheryl Zack (“Complainant” or “Ms. Zack”) on SET alleging various issues with Complainant’s telephone and cable television services.

3. On October 21, 2013, SET’s Director of Customer Service/Provisioning filed a response to the Complaint denying that Ms. Zack has ever been a customer of SET and requesting the complaint be dismissed.

4. By Notice dated March 14, 2014, an initial telephonic hearing was scheduled for May 8, 2014 before presiding Administrative Law Judge (“ALJ”) David A. Salapa.

5. On March 17, 2014, ALJ Salapa issued a Prehearing Order setting forth instructions concerning the initial telephonic hearing.

6. On April 9, 2014, SET’s Director of Regulatory Affairs filed a letter asking the Commission to dismiss the case and explaining that Ms. Zack has never been a customer of SET. *See* Exhibit “A” attached hereto.

7. By Notice dated May 2, 2014, the Commission converted the initial telephonic hearing scheduled for May 8, 2014 to an initial telephonic prehearing conference.

8. The prehearing conference was convened as scheduled by ALJ Salapa on May 8, 2014, at which time the parties and ALJ Salapa discussed matters related to Ms. Zack’s Complaint, including the threshold issue of whether Ms. Zack was a customer of SET. Near the conclusion of the prehearing, SET made a request for Ms. Zack to produce documentation or other proof evidencing that she was, in fact, a customer of SET before the matter be set for evidentiary hearings. Ms. Zack agreed to provide such information in a timely fashion.

9. On or about May 15, 2014, Complainant served by first class mail documentation which purportedly demonstrated that she was a customer of SET. *See* Exhibit “B” attached hereto.

10. A further Telephonic Hearing has been scheduled for July 10, 2014.

II. STANDARD FOR SUMMARY JUDGMENT

11. The Commission’s rules and regulations governing motions for summary judgment are contained at 52 Pa. Code § 5.102. A party may move for summary judgment after the pleadings are closed, but within a time so that the hearing is not delayed. 52 Pa. Code §

5.102(a). A motion for summary judgment must be based on the pleadings, depositions, answers to interrogatories, admissions, and supporting affidavits. 52 Pa. Code § 5.102(c). The presiding office must grant a motion for summary judgment "... if the applicable pleadings, depositions, answers to interrogatories and admissions, together with affidavits, if any, show that there is no genuine issue as to a material fact and that the moving party is entitled to a judgment as a matter of law." 52 Pa. Code § 5.102(d)(1).

12. When deciding whether a motion for summary judgment should be granted, the Commission must examine the record in light most favorable to the non-moving party, and all doubts as to the existence of a genuine issue of material fact must be resolved in favor of the non-moving party. *Sanchez v. Philadelphia Housing Auth.*, 611 A.2d 346 (Pa. Cmwlth. 1992). The non-moving party, however, must allege facts showing that an issue for trial exists. *Stover v. The UGI PennTelephone Co. of Pennsylvania*, Docket No. C-00923833 (Order entered July 21, 1992). The mere assertion that a material issue of fact exists without producing any evidence is insufficient to defeat a motion for summary judgment. *Ling v. Com., Dep't of Transport.*, 79 A.3d 1 (Pa. Cmwlth. 2013). The non-moving party, therefore, cannot rely solely upon the allegations made in the formal complaint, but rather must demonstrate that there are specific facts establishing the existence of a genuine issue of material fact. *Fiffick v. GAF Corporation*, 603 A.2d 208 (Pa. Super. 1991).

13. The Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary or in the public interest. 66 Pa.C.S. § 703(b); 52 Pa. Code § 5.21(d). A hearing is necessary only to resolve disputed material questions of fact, and when the question presented is one of law, the Commission need not hold a hearing. *Lehigh Valley Power Comm'n*

v. Pa. P.U.C., 563 A.2d 548 (Pa. Cmwlth. 1989); *Edan Transportation Corp. v. Pa. P.U.C.*, 623 A.2d 6 (Pa. Cmwlth. 1993).

III. ARGUMENT

14. SET, through this Motion, seeks dismissal of the Formal Complaint because the pleadings and the Affidavit of Scott Randall, Director of Regulatory Affairs for SET, attached hereto as Exhibit “C,” demonstrate that the Complaint presents no genuine issue of fact. SET, therefore, is entitled to relief as a matter of law.

15. Despite Complainant’s claims to contrary, Complainant is not, nor has she ever been, a customer of record of SET. *See* Affidavit, Exhibit C. The utility account number identified by Ms. Zack in Paragraph 1 of the Complaint does not match any account number in SET’s billing system or customer records. Moreover, the documentation provided by Complainant in response to ALJ Salapa’s directive at the prehearing conference fails to demonstrate that Ms. Zack is a customer of SET. Significantly, the invoices and correspondence attached by Complainant identify “Service Electric Cable TV & Communications” as the company from which Ms. Zack takes service and with which she is having the alleged service issues. *See* Exhibit B. SET, however, is a separate and distinct entity under completely different ownership and control and is not affiliated with “Service Electric Cable TV & Communications” in any way. *See* Affidavit, Exhibit C.

16. In addition to the unknown account number in Paragraph 1, Complainant identified in Paragraph 2 of the Complaint “Verizon (& Service Electric)” as the companies about which she is complaining and from which she receives her bills. The bills Complainant has presented, however, are not SET bills, but rather are from an entity named Service Electric Cable TV & Communications. *See* Exhibit B. Moreover, the phone number stated in Paragraph

2 of the Complaint next to “Service Electric” (*i.e.*, 610-865-9100) matches the phone number on the Service Electric Cable TV & Communications invoices and correspondence. *See* Exhibit B. SET has no association with this phone number. Other than a vague reference to “Service Electric,” there is no evidence demonstrating that Ms. Zack is a customer of SET or that SET provides any service to her.


17. This case is one of mistaken identity. It is Service Electric Cable TV & Communications, not SET, which apparently provides telephone and cable television services to Ms. Zack.¹ The Complaint fails to implicate SET as the utility about which Ms. Zack is complaining. The additional documentation provided by Ms. Zack likewise fails to implicate SET. Simply put, Complainant has failed to adduce any evidence that she is a customer of SET or that SET is the utility in question concerning the subject matter of the complaint. A hearing, therefore, would be a useless exercise and a waste of administrative time and resources as the pleadings show there is no factual dispute.² Accordingly, this case should be dismissed and judgment entered in favor of SET as a matter of law.

¹ Complaint also has raised allegations regarding cable television service and attached several pages of customer service notes to the Complaint regarding the purported service problems, including numerous entries referencing cable television problems. First, these service notes were not originated by SET. Second, SET does not offer or provide cable television service, nor has held it ever held itself out as offering or providing such service. Third, the Commission lacks jurisdiction over cable television matters. For these reasons, the Complaint should also be dismissed.

² The Commission, moreover, would not be able to adjudicate any claims raised in the Complaint regarding cable television service.

WHEREFORE, for the foregoing reasons, Service Electric Telephone, LLC respectfully requests that the Pennsylvania Public Utility Commission grant its Motion for Summary Judgment, dismiss the Formal Complaint of Cheryl Zack, and grant SET such other relief as may be just and reasonable under the circumstances.

Respectfully submitted,



Charles E. Thomas, III, Esq. (PA ID # 201014)
THOMAS, NIESEN & THOMAS, LLC
212 Locust Street, Suite 600
P.O. Box 9500
Harrisburg, PA 17108-9500
Tel: 717-255-7611
cet3@thomaslonglaw.com

Attorney for Service Electric Telephone, LLC

DATED: June 12, 2014

EXHIBIT A



April 9, 2014

Secretary Rosemary Chiavetta
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Case C-2013-2388009

Dear Secretary Chiavetta:

Per the Secretary's request in a letter dated April 3, 2014, this cover letter bears my original signature.

Thank you for your assistance. You are welcome to contact me at srandall@ironton.com or 610-794-2370.

Sincerely,

A handwritten signature in black ink that reads "S. Randall". The signature is written in a cursive style with a large initial "S" and a stylized "R".

Scott Randall
Director - Regulatory Affairs

Attachments: Correspondence with the PA PUC

cc. The Honorable David A. Salapa, Administrative Law Judge
Charles E. Thomas, III, THOMAS, LONG, NIESEN & KENNARD

Service Electric Telephone

4242 Mauch Chunk Road
Coplay, PA 18037

P: 610 .841 .4100

F: 610 .841 .0041



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET 2ND FLOOR, HARRISBURG, PA 17120

April 3, 2014

IN REPLY PLEASE
REFER TO OUR FILE NUMBER
C-2013-2388009

SERVICE ELECTRIC
SCOTT RANDALL DIR REG AFFAIRS
4242 MAUCH CHUNK ROAD
COPLAY PA 18037

Dear Sir/Madam:

We are returning your Letter regarding Ms. Zack not being one of your customers of Service Electric to you because it is required for us to have an original signature. Please sign in ink as indicated by the tab stating 'Sign Here' and return to the address listed at the top of this letter within 10 days.

Once we receive your Response with your original signature we will be able to process as needed. If you do not return within 10 days your filing will be considered unfiled.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script, reading "Rosemary Chiavetta".

Rosemary Chiavetta
Secretary

Enclosures
DJ



March 25, 2014

Secretary Rosemary Chiavetta
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Case C-2013-2388009

Dear Secretary Chiavetta:

Please find attached our correspondence with the Commission on the case of Cheryl Zack v. Service Electric Telephone, LLC (C-2013-2388009).

With this letter I ask the Commission to dismiss this case.

As Gale Bennett, Director of Customer Service stated in a letter to the Commission on October 21, 2013, Ms. Zack is not and has never been a customer of Service Electric Telephone. In reviewing the documents presented by Ms. Zack, Service Electric Telephone is not mentioned so we are at a loss as to why we are party to this hearing. I suspect we are being confused with Service Electric Cable which is a different company under different ownership and management. The customer service notes contained within Ms. Zack's correspondence reference problems related to cable TV service—a product that Service Electric Telephone does not and has not provided. Additionally, the service notes were not originated from Service Electric Telephone.

Thank you for your assistance. You are welcome to contact me at srandall@irononton.com or 610-794-2370.

Sincerely,

A handwritten signature in black ink that reads "S. A. Randall".

Scott Randall
Director - Regulatory Affairs

Attachments: Correspondence with the PA PUC

Service Electric Telephone
4242 Mauch Chunk Road
Coplay, PA 18037
P: 610 .841 .4100
F: 610 .841 .0041

RECEIVED
2014 MAR 28 AM 11:46
PA P.U.C.
SECRETARY'S BUREAU



SERVICE ELECTRIC TELEPHONE
4242 Mauch Chunk Road
Coplay, PA 18037-2196
Voice 610-841-4100
FAX 610-841-0041

October 21, 2013

Customer name: **CHERYL ZACK**
Address: 825 W. TILGHMAN ST.
City, State, Zip: ALLENTOWN PA 18102
Class of service: **RESIDENTIAL**
BCS Case Number: **C-2013-2388009**
Phone number of line in dispute:
Nature of dispute: **Service Reliability**

Company position:

This customer, **CHERYL ZACK** is NOT, and has never been a customer of SERVICE ELECTRIC TELEPHONE, LLC. Service Electric Telephone (SET) is located at 4242 Mauch Chunk Rd, Coplay, PA. 18037; contact number, 610-841-4100.

The customer may be referring to services provided by SERVICE ELECTRIC CABLE TV & COMMUNICATIONS (SECTV), at 2260 Avenue A, Bethlehem, PA 18017; contact number, 610-865-9100.

Therefore, Service Electric Telephone, LLC., respectfully requests this complaint addressed to us be dismissed and closed.

If I can be of help in any other way please feel free to contact me at gbennett@ironton.com

Sincerely,

Gale Bennett
Director of Customer Service/Provisioning

EXHIBIT B

May 12, 2014

Docket: C-2013-2388009

Cheryl Laak

v.

Service Electronic Technology LLC

to: Mr. Thomas
212 Locust Street
Suite 600
Harrisburg, PA 17101

From: Cheryl Laak
225 W. Highmore St.
Allentown, PA 18102

May 12, 2014

To: Honorable David A. Salpe
Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa 17105-3265

Docket: C-2013-2388009

Cheryl Cook v. Service Electric
Telephone, LLC

Dear Judge Salpe,

Enclosed are copies you've requested which proved we did have Service Electric Telephone service and the "shut off or disconnect" order. As I said before I argued with "Bob" from Verizon who said I didn't have to do anything that the phone wouldn't be disconnected. Yet "Donna" (myth or 9th person I got at Service Electric) - with other said Verizon had to call to verify that they'd disconnect, that she finally said

They wouldn't shut it off. That was
Thursday - Friday morning came and
we have no phone at all! I went
to US graphics they accommodated
me in letting me use their phone
to call my sister in New Jersey to
let her know and also tried to contact
Verizon & Service Electric - NO
ONE WOULD ANSWER - PLACED
ON HOLD! So here I am with a
crippled handicapped senior citizen
and no telephone for 4 days!
(I changed the install date cause
I'm getting a little word out from
everything we're dealing with).

Also, as Helen's ~~daughter~~
daughter and Power of Attorney -
all bills were paid for the most
part (or always on time and full
payment with my signature on the
check (with both of our names) - all
checks were accepted - none refused.
If you need a copy of the
cancelled checks I'm sure I can
get them for you.

Also, for all questions he called
the 610-865-9100 number and
spoke to numerous people about all
situations.

- I do not have a computer or a
cell phone

So yes Service Electric does
have phone service!

So since Mr. Thomas had "no
knowledge (as their "Attorney")
that Service Electric had a
telephone service - I certainly
believe that, just in case, Mr. Thomas
should suddenly decide to bring up
about me being Helen Zerk's R.O.A.
(any matter) and "not knowing it" -
I would hope this would not be held
against me (as all bills signed by
me were accepted and ~~not~~
accepted). If about anything else
you need please give me a buzz
at 610-435-2949.

Respectfully
Hazel H. Zerk



CABLE TV & COMMUNICATIONS

P O BOX 25025
LEHIGH VALLEY PA 18002-5025

0700953448
MRS JOHN ZACK @#
825 TILGHMAN ST
ALLENTOWN, PA 18102-2381

BILLED FROM 03/01/13
BILLED TO 03/31/13

MARCH DUE DATE 03/29/13

TOTAL DUE \$ 109.77

FCCPA0478

PHONE (610) 865-9100

TOLL FREE (800) 232-9100

SERVICE SUMMARY:

PLEASE NOTE:

02/07	Previous Balance	83.52
02/21	Payment (Thank You)	83.52 Credit
03/01	Line Charge	6.00
03/01	State Relay Surcharge	0.08
03/01	County 911	1.25
03/01	Additional Outlets	3.50
03/01	Cable/Phone	85.95
03/01	Standard Digital Converter	2.95
03/01	Retransmission Fees	4.14
03/01	FCC Fees	0.08
03/01	Franchise Fees	4.11
03/01	Sales Tax	1.71
03/07	** Monthly Due **	109.77

We are pleased to announce we now offer HBO Go and MAX Go included FREE with your HBO and Cinemax subscriptions! Log onto www.sectv.com and sign in with your My Account username and password. For specific details, requirements, and restrictions, please visit our TV Anywhere page on our website.

WPPX-61 ION formerly located on channel 107 will now be located on channel 19. The HD feed for WPPX-61 can be found on channel 519.

Monthly Package Rate Comparison	
Cable & Phone Package:	85.95
Regular Component Pricing:	
Full Channel Lineup*	71.49
Service Electric Telephone**	16.33
- Choice of 11 Features and Functions plus Unlimited Long Distance incl. Continental US, Puerto Rico, Hawaii, Canada, & Mexico	50.00
Total	137.82
Cable & Phone Package Savings:	\$51.87
<small>*Includes LifeLine Cable (19.49)</small>	
<small>**Does not include 411 calling charges, taxes, and add'l fees/charges</small>	

Handwritten:
✓ 6399
3-18-B

Visit our website at www.sectv.com for information pertaining to parental controls, to view your statement, or pay your bill online.

THANK YOU FOR GIVING US THE OPPORTUNITY TO SERVE YOU.

ACCOUNT SUMMARY:	Previous Balance	Payments	Current Charges	Credits	Tax	Total Amount Due
	83.52	- 83.52	+ 108.06	- 0.00	+ 1.71	109.77

Detach and return the portion below with your payment - Thank You!!!



CABLE TV & COMMUNICATIONS

P O BOX 25025
LEHIGH VALLEY PA 18002-5025

0700953448
MRS JOHN ZACK @#
825 TILGHMAN ST
ALLENTOWN, PA 18102-2381

BILLED FROM 02/01/13 BILLED TO 02/28/13

FEBRUARY DUE DATE 02/28/13

TOTAL DUE \$ 83.52

FCCPA0478

5270

PHONE (610) 865-9100

TOLL FREE (800) 232-9100

SERVICE SUMMARY:

PLEASE NOTE:

01/08	Previous Balance	109.77	
01/18	Payment (Thank You)	109.77	Credit
02/01	Line Charge	6.00	
02/01	State Relay Surcharge	0.08	
02/01	County 911	1.25	
02/01	Cable/Phone	85.95	
02/01	Additional Outlets	3.50	
02/01	Standard Digital Converter	2.95	
02/01	Retransmission Fees	4.14	
02/01	FCC Fees	0.08	
02/06	Franchise Fees Reversal Cable	1.25	Credit
02/06	Service Credit Cable	25.00	Credit
02/01	Franchise Fees	4.11	
02/01	Sales Tax	1.71	
02/07	** Monthly Due **	83.52	

As you were previously notified last year, Speed Channel (91) and Outdoor Channel (92) will change to a digital format. This change will be effective February 19th. If you have a digital converter, you will not notice any change. If you have a digital television set and no converter, these 2 channels will be available on the channels designated by your set manufacturer. Please see our home page www.sectv.com, Channel Lineups - QAM Channel Lineup for a list of channel selections available on digital television sets. If you do not have a digital television set, you can receive one free DTA (digital tuner) per household that will enable you to receive all digital channels in the Full Channel Lineup. To receive a DTA you will have 3 options: Call and we'll install the DTA at no charge - Stop at our office at 2260 Avenue A to pick up the equipment - Call our office to have the equipment mailed to you. Thank you for your patience as we work through this transition.

Monthly Package Rate Comparison	
Cable & Phone Package:	85.95
Regular Component Pricing:	
Full Channel Lineup*	71.49
Service Electric Telephone**	18.33
- Choice of 11 Features and Functions plus	50.00
Unlimited Long Distance incl. Continental US,	
Puerto Rico, Hawaii, Canada, & Mexico	
Total	137.82
Cable & Phone Package Savings: \$51.87	
*Includes LifeLine Cable (19.49)	
**Does not include 411 calling charges, taxes, and add'l fees/charges.	

PO,
VA 6384
2-18-13

Visit our website at www.sectv.com for information pertaining to parental controls, to view your statement, or pay your bill online.

THANK YOU FOR GIVING US THE OPPORTUNITY TO SERVE YOU.

ACCOUNT SUMMARY:	Previous Balance	Payments	Current Charges	Credits	Tax	Total Amount Due
	109.77	109.77	108.06	26.25	1.71	83.52

Detach and return the portion below with your payment - Thank You!!!



CABLE TV & COMMUNICATIONS

P O BOX 25025
LEHIGH VALLEY PA 18002-5025

0700953448
MRS JOHN ZACK @#
825 TILGHMAN ST
ALLENTOWN, PA 18102-2381

BILLED FROM 01/01/13
BILLED TO 01/31/13

JANUARY DUE DATE 01/29/13

TOTAL DUE \$ 109.77

FCCPA0478

4495

PHONE (610) 865-9100

TOLL FREE (800) 232-9100

SERVICE SUMMARY:

PLEASE NOTE:

12/07	Previous Balance	107.83
12/18	Payment (Thank You)	107.83 Credit
01/01	State Relay Surcharge	0.08
01/01	County 911	1.25
01/01	Line Charge	6.00
01/01	Additional Outlets	3.50
01/01	Cable/Phone	85.95
01/01	Standard Digital Convertor	2.95
01/01	FCC Fees	0.08
01/01	Retransmission Fees	4.14
01/01	Franchise Fees	4.11
01/01	Sales Tax	1.71
01/08	** Monthly Due **	109.77

H2 HD will be added in January (must subscribe to Ultimate Digital)

Our very best wishes for a Happy, Healthy New Year!

Monthly Package Rate Comparison	
Cable & Phone Package:	85.95
Regular Component Pricing:	
Full Channel Lineup*	71.49
Service Electric Telephone**	16.33
- Choice of 11 Features and Functions plus Unlimited Long Distance incl. Continental US, Puerto Rico, Hawaii, Canada, & Mexico	50.00
Total	137.82
Cable & Phone Package Savings: \$51.87	
<small>*Includes LifeLine Cable (19.49)</small>	
<small>**Does not include 411 calling charges, taxes, and add'l fees/charges.</small>	

PD,
VA 6264
1-17-13

Visit our website at www.sectv.com for information pertaining to parental controls, to view your statement, or pay your bill online.

THANK YOU FOR GIVING US THE OPPORTUNITY TO SERVE YOU.

ACCOUNT SUMMARY:	Previous Balance	Payments	Current Charges	Credits	Tax	Total Amount Due
	107.83	- 107.83	+ 108.06	- 0.00	+ 1.71	109.77

Detach and return the portion below with your payment - Thank You!!!



2260 Avenue A • LVIP #1 • Bethlehem, PA 18017-2170
Phone 610-865-9100 • Fax 610-865-5031

03/05/2013
0700953448
MRS JOHN ZACK @#
825 TILGHMAN ST
ALLENTOWN PA 18102-2381

Dear Subscriber:

We have been notified that you have ported your phone to a new provider. We have discontinued phone service per that notification today.

As we do not disconnect cable accounts without a request from the customer, we will continue to supply all other services that are active at this time. If you wish to discontinue cable or internet being provided by Service Electric Cable TV, you must contact us and request to close your account.

If any further changes are requested, please either return this letter with your instructions, or contact us by phone @ 610-865-9100.

Thank you for the opportunity to provide your entertainment needs.

Sincerely,

A handwritten signature in cursive script that reads "Phyllis Christine".

Phyllis Christine
Customer Service Supervisor

EXHIBIT C

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cheryl Zack	:	
	:	
v.	:	Docket No. C-2013-2388009
	:	
Service Electric Telephone, LLC	:	

AFFIDAVIT OF SCOTT RANDALL
IN SUPPORT OF SERVICE ELECTRIC TELEPHONE LLC'S
MOTION FOR SUMMARY JUDGMENT

I, Scott Randall, being duly sworn according to law, depose and say the following:

1. My name is Scott Randall and my business address is 4242 Mauch Chunk Road, Coplay, Pennsylvania 18037.
2. I am Director of Regulatory Affairs for Service Electric Telephone, LLC ("SET").
3. As Director of Regulatory Affairs, I am responsible for all regulatory management and compliance, which includes addressing and responding to formal complaints, interfacing with the Federal Communications Commission, state public utility agencies such as the Pennsylvania Public Utility Commission ("PaPUC"), key vendor/suppliers, and local governments, and overseeing contract review and management of external legal counsel and consulting organizations.
4. As part of my job responsibilities, I am familiar with SET's products and services and its business records relating to the identity of customers at specific locations.
5. On October 15, 2013, the PaPUC served the Formal Complaint of Cheryl Zack ("Complainant") on SET alleging various issues with Complainant's telephone and cable television services.
6. I have reviewed the Complaint and am familiar with the allegations alleged by Complainant.

7. On April 9, 2014, I filed correspondence with the PaPUC asking the PaPUC to dismiss the case.

8. Complainant is not and has never been a customer of SET.

9. The utility account number identified by Complainant in Paragraph 1 of the Complaint does not match any account number in SET's billing or customer records.

10. The telephone number identified by Complainant in Paragraph 2 of the Complaint is not a telephone number associated with SET.

11. SET does not nor has it ever offered or provided cable television services.

12. I have reviewed and familiar with the correspondence and attached documentation provided by Complainant on or about May 15, 2014 which purportedly demonstrates that she is a customer of SET. The invoices attached to the correspondence are not invoices issued by SET. The letter dated March 5, 2013 which is attached to the correspondence is not a letter issued on SET letterhead.

13. SET is not affiliated with Service Electric Cable TV & Communications and is a separate and distinct entity under completely different ownership and control.

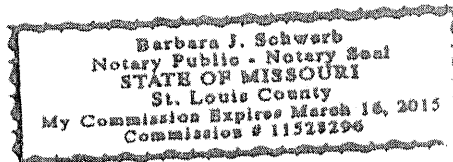
14. I am authorized to submit this Affidavit for and on behalf of SET and represent that the facts set forth herein are true and correct to the best of my knowledge, information, and belief.

Scott Randall

Scott Randall, Director - Regulatory Affairs

Sworn and subscribed before me this 12th
day of June, 2014.

Barbara J. Schwerb
Notary Public
My Commission expires on: 3/16/15



Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cheryl Zack

v.

Service Electric Telephone, LLC

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Docket No. C-2013-2388009


CERTIFICATE OF SERVICE

I hereby certify that I have this 12th day of June, 2014, served a true and correct copy of the foregoing Motion of Service Electric Telephone, LLC for Summary Judgment upon the persons and in the manner set forth below:

FIRST CLASS MAIL, POSTAGE PREPAID

Honorable David A. Salapa
Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Cheryl L. Zack
825 W. Tilghman Street
Allentown, PA 18102



Charles E. Thomas, III (PA ID # 201014)