

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560

FAX (717) 783-7152
consumer@paoca.org

August 7, 2015

Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RE: Commonwealth of Pennsylvania, by Attorney General
KATHLEEN G. KANE, Through the Bureau of Consumer
Protection,

And

TANYA J. McCLOSKEY, Acting Consumer Advocate,
Complainants

v.

IDT Energy, Inc.

Respondent

Docket No. C-2014-2427657

Secretary Chiavetta:

In light of concerns raised by Mr. Anthony Ferrare regarding the Joint Petition for Approval of Settlement in the above-captioned proceeding, enclosed please find a Revised Page 10 of the Joint Petition for Approval of Settlement.

Copies have been served as indicated on the enclosed Certificate of Service.

Sincerely yours,

Kristine E. Robinson

Kristine E. Robinson

Assistant Consumer Advocate

PA Attorney I.D. #316479

Enclosures

cc: Honorable Elizabeth Barnes, ALJ
Honorable Joel Cheskis, ALJ
Certificate of Service

211129

Complainants and IDT, the ALJs suspended the litigation schedule *vis a vis* IDT's rebuttal testimony.

35. A second conference call with the ALJs and parties, with the exception of OSBA, was convened on July 13, 2015. Counsel for Mr. Ferrare stated that he was still unable to take a position on whether Mr. Ferrare would join or oppose the settlement, as his expert continued to review the information provided by IDT. Additionally, counsel for Mr. Ferrare indicated that additional information was needed from Joint Complainants' witness Steven L. Estomin for Mr. Ferrare's expert's review before Mr. Ferrare could determine if he would join or oppose the settlement. Upon further discussion and clarification after the conference call, OCA provided additional information to counsel for Mr. Ferrare.⁴

36. Also during the conference call on July 13, 2015, the ALJs directed the parties to submit the Joint Petition and accompanying Statements in Support of Settlement, along with a Stipulation of Facts and Conclusions of Law and any stipulations for the admission of testimony into the record by August 4, 2015.

II. SETTLEMENT TERMS AND CONDITIONS

37. It is understood that this Settlement is the compromise of the allegations in the Joint Complaint, which the Joint Complainants intend to prove and that the Company disputes. Although the Joint Complainants and the Company may disagree with the allegations as to the Company's conduct, both acknowledge the importance to consumers and the retail market of full and accurate information and disclosures to consumers, as well as the assurance of fair and transparent marketing and billing practices. The Joint Complainants and the Company recognize that this is a disputed claim, and given the inherent unpredictability of the outcome of a contested

⁴ By email on July 29, 2015, Mr. Ferrare's counsel notified Joint Complainants as follows: "Until we can review relevant materials that we have been unable to obtain from IDT, we will be forced to oppose the proposed settlement."

CERTIFICATE OF SERVICE

Commonwealth of Pennsylvania, by	:	
Attorney General KATHLEEN G. KANE,	:	
Through the Bureau of Consumer Protection,	:	
	:	
And	:	
	:	
TANYA J. McCLOSKEY, Acting Consumer	:	
Advocate,	:	
Complainants	:	
	:	Docket No. C-2014-2427657
v.	:	
	:	
IDT ENERGY, INC.,	:	
Respondent	:	

I hereby certify that I have this day served a true copy of the foregoing document, Revised Page 10 of the Joint Petition for Approval of Settlement, in the manner and upon the persons listed below:

Dated this 7th day of August 2015.

SERVICE BY E-MAIL & INTER-OFFICE MAIL

Kourtney L. Myers, Esq.
Stephanie M. Wimer, Esq.
Michael L. Swindler, Esq.
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

SERVICE BY E-MAIL & FIRST CLASS MAIL, POSTAGE PREPAID

Michael A. Gruin, Esq.
Stevens & Lee
17 N. 2nd Street, 16th Fl.
Harrisburg, PA 17101

Sharon Webb, Esq.
Office of Small Business Advocate
Commerce Building, Suite 202
300 North Second Street
Harrisburg, PA 17101

Troy M. Frederick, Esq.
Marcus & Mack, P.C.
57 South Sixth Street
Indiana, PA 15701
Tfrederick@MarcusandMack.com

SERVICE BY E-MAIL ONLY

Scott George, Esq.
Jonathan Shub, Esq.
Seeger Weiss LLP
1515 Market Street, Suite 1380
Philadelphia, PA 19102
jshub@seegerweiss.com
sgeorge@seegerweiss.com


Candis A. Tunilo

Assistant Consumer Advocate
PA Attorney I.D. # 89891
E-Mail: CTunilo@paoca.org
Kristine E. Robinson
Assistant Consumer Advocate
PA Attorney I.D. # 316479
E-Mail: KRobinson@paoca.org

Counsel for
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152
185176