

Hawke
 Mckeon
 Sniscak &
 Kennard LLP
DOCUMENT
FOLDER
ATTORNEYS AT LAW

William T. Hawke
Kevin J. McKeon
Thomas J. Sniscak
Norman James Kennard
Lillian Smith Harris
Scott T. Wyland
Todd S. Stewart

Craig R. Burgraff
Steven D. Snyder
Janet L. Miller
Steven K. Haas
William E. Lehman
Rikardo J. Hull
Katherine E. Lovette

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

October 14, 2005

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street – Filing Room (2 North)
P.O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

SECRETARY
2005 OCT 14 PM 1:57

RE: Darvey Johnson v. Verizon Select Services Inc.; Docket No. C-20055328;
ANSWER

Dear Mr. McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of Verizon Select Services Inc. ("VSSI") Answer in the above-captioned proceeding. A copy of this document has been served upon the Complainant in accordance with the attached Certificate of Service.

If you have any questions with regard to this filing, please direct them to me. Thank you for your attention to this matter.

Regards,



William E. Lehman
Counsel for Verizon Select Services Inc.

WEL/kmg
Enclosures
cc: Darvey Johnson

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

DARVEY JOHNSON,

Complainant

v.

VERIZON SELECT SERVICES INC.,

Respondent

DOCUMENT
FOLDER

Docket No. C-20055328

SECRETARY'S BUREAU

2005 OCT 14 PM 1:57

RECORDED

**ANSWER OF
VERIZON SELECT SERVICES INC.
TO THE COMPLAINT OF DARVEY JOHNSON**

Verizon Select Services Inc. ("VSSI"), by and through its counsel in this proceeding, Hawke McKeon Sniscak & Kennard LLP, hereby submits its Answer to the Complaint filed by Darvey Johnson ("Complainant" or "Mr. Johnson"). In support thereof, VSSI avers and represents as follows:

1. ADMITTED upon information and belief.
2. DENIED. The correct corporate name of the Respondent in this matter is Verizon Select Services Inc. ("VSSI").
3. ADMITTED upon information and belief.
4. VSSI DENIES there are incorrect charges on the Complainant's telephone bill.

OCT 17 2005

VSSI will respond to the Complainant's attached telephone discrepancy and inmate grievance forms as if they were included in Paragraph 4 of the Complaint.

INMATE GRIEVANCE FORM DATED AUGUST 22, 2005

VSSI ADMITS that on August 18, 2005, the Complainant made a telephone call which was disconnected. VSSI is without sufficient information or knowledge at this time to respond to the Complainant's allegations regarding the content of conversations he had with his wife; therefore, these allegations are DENIED. VSSI ADMITS the Complainant made a subsequent call to the same telephone number which was again disconnected. By way of further answer, VSSI avers that both telephone calls on August 18, 2005 were disconnected because the prison inmate telephone system detected a prohibited three-way call attempt. Three-way call attempts by prisoners are prohibited by the Department of Corrections ("DOC") regulations. VSSI is without sufficient knowledge or information at this time to respond to the Complainant's allegation as to whether the aforementioned calls were placed to a cell phone or cordless phone; therefore, these allegations are DENIED. VSSI ADMITS that the Complainant has attached a Telephone System Discrepancy Form ("TSDF") dated August 18, 2005, but it is without sufficient information or knowledge at this time to respond to the accuracy of the statements contained therein; therefore, these statements are DENIED. The TSDF speaks for itself. The remaining statements in this TSDF are statements of opinion or requests for relief to which no response is required. VSSI DENIES that it owes the Complainant \$12.44 in refunds for the two calls.

INMATE GRIEVANCE FORM DATED AUGUST 22, 2005

VSSI ADMITS that on August 17, 2005, the Complainant made a telephone call that was disconnected because of a prohibited three-way call attempt. VSSI ADMITS that the Complainant filed a TSDF dated August 17, 2005; however, it is without sufficient information or knowledge at this time to respond to the statements contained therein; therefore, these statements are DENIED. The remaining statements are requests for relief or statements of opinion to which no response is required. VSSI DENIES that it owes a refund to the Complainant.

TELEPHONE SYSTEM DISCREPANCY FORM DATED AUGUST 19, 2005

VSSI ADMITS that the Complainant placed a telephone call on August 18, 2005 that was disconnected. By way of further answer, VSSI avers that this telephone call was disconnected because the prison inmate telephone system detected a prohibited three-way call attempt. VSSI DENIES that the called party did not press any buttons. VSSI DENIES that the “automated system said no touch tone dialing allowed.” VSSI DENIES the Complainant’s allegations regarding his purchasing a prepaid phone card.

TELEPHONE SYSTEM DISCREPANCY FORM DATED AUGUST 19, 2005

VSSI ADMITS that on August 17, 2005, the Complainant made a telephone call that was disconnected because of a prohibited three-way call attempt. VSSI is without sufficient information or knowledge at this time to respond to the Complainant’s allegations regarding the content of conversations he had with his wife; therefore, these allegations are DENIED. VSSI DENIES the Complainant’s allegations regarding his purchase of a prepaid phone card.

TELEPHONE SYSTEM DISCREPANCY FORM DATED AUGUST 23, 2005

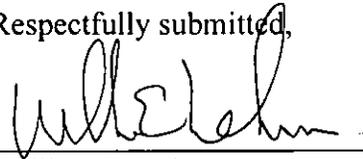
VSSI DENIES the Complainant's allegations regarding the balance on his prepaid phone card and the Complainant's allegations regarding the amount deducted. By way of further answer, VSSI avers that the Complainant made a 2-minute prepaid telephone call on August 19, 2005 for which he was billed the proper amount of \$2.77.

INMATE GRIEVANCE FORM DATED AUGUST 23, 2005, Attachment B

5. VSSI DENIES that telephone number 215-425-1171 cannot place a three-way call.

WHEREFORE, for the reasons set forth above, Verizon Select Services Inc. respectfully requests that the Formal Complaint of Darvey Johnson be dismissed preliminarily.

Respectfully submitted,



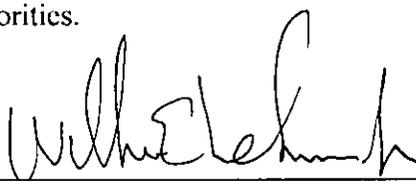
William E. Lehman
Hawke McKeon Sniscak & Kennard LLP
Harrisburg Energy Center
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105-1778
(717) 236-1300

DATED: October 14, 2005

Counsel for
Verizon Select Services Inc.

AFFIDAVIT

I, William E. Lehman, certify that I am counsel for Verizon Select Services Inc. and that, in this capacity, I am authorized to and do make this Affidavit for them, that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief, and that I expect Verizon Select Services Inc. to be able to prove the same at any hearing hereof. I understand that false statements made therein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authorities.



William E. Lehman
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
PO Box 1778
Harrisburg, PA 17105-1778
Telephone: (717) 236-1300
Facsimile: (717) 236-4841
E-mail: welehman@hmsk-law.com

Counsel for Verizon Select Services Inc

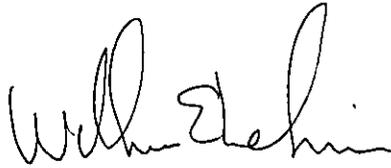
DATED: October 14, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the person and in the manner indicated below.

Service by first class mail:

Darvey Johnson
Box 10745
Route 18
Albzon, PA 16475-0002



William E. Lehman

DATED: October 14, 2005

2005 OCT 14 PM 1:57
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
October 24, 2005

PLEASE DOCKET

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055328

(SEE ATTACHED LIST)

Darvey Johnson CZ 6364 v. Verizon Pennsylvania Inc.

Billing dispute.

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial Telephonic Hearing
Date: Thursday, December 8, 2005
Time: 10:00 a.m.
Presiding: Administrative Law Judge Larry Gesoff
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

**DOCUMENT
FOLDER**

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

DOCKETED
DEC 13 2005

At the above date and time, the Presiding Officer will contact the parties as follows:

William Barr - SCI Albion	814.756.5778
William E. Lehman, Esquire	717.236.1300
Bruce Kazee, Esquire	972.718.6969

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Gesoff
Dawn Reitenbach
Beth Plantz
Docket Section
Calendar File