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ORIGINAL

November 17, 2005

VIA HAND DELIVERY

James McNulty
Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg., 2nd
Floor, 400 North Street P.O. Box 3265
Harrisburg, PA 17105-3265

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PA PUC
SECRETARY'S BUREAU

Re: Potter v. Comcast Digital Phone of PA, LLC
Docket No. C-20055433

Dear Secretary McNulty:

On behalf of Comcast Phone of Pennsylvania, LLC, enclosed for filing please find an original and three copies of its Answer to Complaint and Motion to Dismiss with regard to the above-referenced matter. A copy has been served on the party listed on the attached Certificate of Service.

DOCUMENT FOLDER

Sincerely,



William A. Loy
For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

Enclosure(s)

cc: Christina Potter

DSH:53486.1/ATT004-084497

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PA PUC
SECRETARY'S BUREAU

Christina Potter

Complainant,

v.

Docket No. C-20055433

Comcast Digital Phone of PA, LLC

Respondent.

ORIGINAL

**COMCAST PHONE OF PA, LLC'S
ANSWER TO COMPLAINT**

Comcast Phone of PA, LLC d/b/a Comcast Digital Phone ("Comcast") submits this Answer to the complaint filed by Christina Potter on September 30, 2005. In her complaint, Ms. Potter alleges that Comcast improperly billed her for operator assisted collect calls from a correctional facility.

Comcast strictly denies Ms. Potter's allegations. Comcast correctly billed Ms. Potter for operator assisted collect calls which were accepted on her line.

In specific support of its Answer, Comcast states as follows:

1. On September 30, 2005, Ms. Potter filed a complaint with the Commission against Comcast as captioned above. Ms. Potter alleges that Comcast improperly billed her for collect calls from a correctional facility.

2. Comcast strictly denies Ms. Potter's allegations. Comcast correctly billed Ms. Potter for collect calls from a correctional facility which were accepted on her line.

3. The operator assisted collect calls from a correctional facility which were accepted on Ms. Potter's line were handled by an inmate service provider.

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4. Comcast third party bills their customers for these operator assisted collect calls for the inmate service provider.

5. At all times relevant hereto, Comcast actions which were fully consistent with all applicable legal requirements.

WHEREFORE, for all of the foregoing reasons, Comcast requests that the instant complaint be dismissed.

Respectfully submitted,



William A. Loy, Esq.
Wolf, Block, Schorr and Solis-Cohen LLP
213 Market Street, 9th Floor
Harrisburg, PA 17101
(717) 237-7170

Dated: November 17, 2005

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PA PUC
SECRETARY'S BUREAU

Christina Potter :
 :
 Complainant, :
 v. :
 Comcast Digital Phone of PA, LLC :
 :
 Respondent. :

Docket No. G-20055433
C-20055433

**COMCAST PHONE OF PA, LLC d/b/a COMCAST DIGITAL PHONE'S
MOTION TO DISMISS**

Comcast Phone of PA, LLC d/b/a Comcast Digital Phone ("Comcast") submits this Motion to Dismiss the Complaint filed by Christina Potter on September 30, 2005. Ms. Potter alleges that Comcast improperly billed her for operator assisted collect calls from a correctional facility.

Ms. Potter's complaint against Comcast is insufficient as to substance and should be dismissed. Ms. Potter does not dispute in her complaint that operator assisted collect calls from a correctional facility were accepted on her line. She alleges merely that it is improper for Comcast to bill for these calls. Comcast properly billed these calls for a third party inmate service provider. Accordingly, pursuant to Commission regulations at 52 Pa. Code § 5.101(a)(3), the complaint should be dismissed.

In specific support of its Motion, Comcast states as follows:

1. On September 30, 2005, Ms. Potter filed a complaint with the Commission against Comcast, as captioned above. In the complaint, Ms. Potter alleges that Comcast improperly billed her for operator assisted collect calls from a correctional facility.
2. The operator assisted collect calls from a correctional facility which where accepted on Ms. Potter's line were handled by an inmate service provider.

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3. Comcast third party bills their customers for these operator assisted collect calls for the inmate service provider.

4. Ms. Potter does not dispute in her Complaint that these calls were accepted on her line.

5. At all times relevant hereto, Comcast actions which were fully consistent with all applicable legal requirements.

6. Based on the foregoing, and pursuant to Commission regulations at 52 Pa Code § 5.101, Ms Potter's complaint against Comcast should be dismissed as insufficient as to substance.

WHEREFORE, for all of the foregoing reasons, the instant complaint should be dismissed.

Respectfully submitted,



William A. Loy, Esq.
Wolf, Block, Schorr and Solis-Cohen LLP
213 Market Street, 9th Floor
Harrisburg, PA 17101
(717) 237-7170

Dated: November 17, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the persons listed below via first class mail in accordance with the requirements of 52 Pa. Code

Section 1.54 of the Commission's rules:

Christina Potter
2030 Lindsay Road
Pittsburgh, PA 15221



William A. Loy, Esquire

Date: November 17, 2005

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