

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Charles Zimmerman

v.

Verizon Pennsylvania, Inc.

C-20067044

DOCUMENT
FOLDER

DOCKETED
MAR 05 2007

PREHEARING ORDER

An Initial Telephone Hearing in this case is scheduled for Thursday, March 15, 2007, at 10:00 a.m. **You must be available when contacted by the presiding officer or your case will be dismissed. If you will be at a telephone number that is different than the number listed on the Complaint, you must notify me of that telephone number at least five (5) business days before the hearing.**

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

Kandace F. Melillo, Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three (3) copies to me at least five (5) business days before the hearing. Proposed exhibits should be properly pre-marked for identification purposes. The utility must provide the following as exhibits: (a) copies of service orders/reports relevant to the Company's investigations and repairs referenced in paragraph 4.B. of the Answer; and (b) copies of Company records relating to customer contacts with the Complainant regarding his telephone service, as referenced in paragraph 4.B. of the Answer.

4. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures.

5. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).

6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will

have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

7. The Complainant is responsible for payment of undisputed bills pending the resolution of this complaint. Failure to make these payments may result in suspension and/or termination of utility service.

8. **THIS CASE WILL BE DISMISSED IF THE COMPLAINANT FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

9. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that he is entitled to the relief requested in the Complaint.

Date: January 31, 2007

Kandace F. Melillo
Kandace F. Melillo
Administrative Law Judge

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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

IRWIN A. POPOWSKY
Consumer Advocate

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

March 5, 2007

The Honorable Kandace F. Melillo
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
MAR 15 2007
PUBLIC UTILITIES COMMISSION

Re: Charles Zimmerman v. Verizon Pennsylvania, Inc.
Docket No. C-20067044

Dear Judge Melillo:

As requested, enclosed please find a copy of the Notice of Intervention and Public Statement filed by the Office of the Consumer Advocate on January 30, 2007 in the above-referenced proceeding.

Additionally, we write to provide the telephone number, (717) 783-5048, at which we can be reached for the telephonic hearing scheduled for March 15, 2007 at 10:00 a.m. If you should have any questions, please do not hesitate to contact me. Thank you.

DOCUMENT
FOLDER

Sincerely,

Kennedy E. Santolla
Assistant Consumer Advocate
PA Attorney I.D. #203098

JES:slk
Enclosure

92939

BTL

Hawke
 McKeon
 Sniscak &
 Kennard LLP
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
Amy A. Whitney

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

March 6, 2007

VIA HAND DELIVERY

Honorable Kandace F. Melillo
Administrative Law Judge
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

RE: Charles Zimmerman v. Verizon Pennsylvania Inc.; Docket No. C-20067044;
RESPONSES TO JANUARY 31, 2007 PREHEARING ORDER

Dear Judge Melillo:

Enclosed with this letter, as requested by you in your Prehearing Order of January 31, 2007, are copies of the repair records that have been generated by Verizon Pennsylvania Inc. ("Verizon PA") on Mr. Zimmerman's account from 2003 to the present. As indicated below, copies of these documents have been sent to Mr. Zimmerman on this date.

You also requested copies of Verizon PA records relating to contacts with Mr. Zimmerman about his telephone service, as mentioned in paragraph 4.B of Verizon PA's Answer. The contacts to which I was referring were his calls to the company that generated the repair records mentioned above. No other records, other than the enclosed repair records, were generated as a result of these calls.

Finally, Verizon PA's witness for the upcoming telephonic hearing will be George Dutton. Mr. Dutton and I will be at different locations for the hearing. He may be reached at (215) 951-6155. I may be reached at (717) 236-1300.

MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

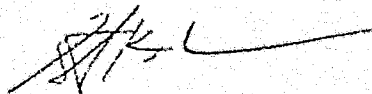
MAR - 6 2007
PUBLIC UTILITY
COMMISSION
SECRETARY'S OFFICE

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OFFICE OF THE
ADMINISTRATIVE LAW JUDGE
MARCH 7 11:50 AM
P.L.C.

Honorable Kandace F. Melillo
March 6, 2007
Page 2

Thank you very much for your attention to these matters. Please contact me at the above-listed number with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Haas', with a long horizontal stroke extending to the right.

Steven K. Haas
Counsel to Verizon Pennsylvania Inc.

SKH/kml
Enclosures

cc. Charles Zimmerman (with enclosures)
George Dutton

Hawke
 Mckeon
 Sniscak &
 Kennard LLP
ATTORNEYS AT LAW

William T. Hawke
Kevin J. McKeon
Thomas J. Sniscak
Norman James Kennard
Lillian Smith Harris
Scott T. Wyland
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100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

March 7, 2007

DOCUMENT
FOLDER

MAR - 5 2007
RECEIVED BY THE COMMISSION

VIA HAND DELIVERY

Honorable Kandace F. Melillo
Administrative Law Judge
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

RE: Charles Zimmerman v. Verizon Pennsylvania Inc.; Docket No. C-20067044;
VERIZON PENNSYLVANIA INC. HEARING EXHIBITS

Dear Judge Melillo:

Enclosed with this letter are three (3) copies each of Verizon Pennsylvania Inc.'s ("Verizon PA") hearing exhibit nos. 1-8 in connection with the above-captioned proceeding. These exhibits are the repair records generated by Verizon PA on Mr. Zimmerman's Verizon PA account from 2003 to the present. As indicated below, copies of these documents have been sent on this date to Mr. Zimmerman and Shaun Sparks with the Office of Consumer Advocate

As I mentioned in my correspondence to you dated March 6, 2007, Verizon PA's witness for the upcoming telephonic hearing will be George Dutton. Mr. Dutton and I will be at different locations for the hearing. He may be reached at (215) 951-6155. I may be reached at (717) 236-1300.

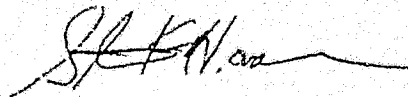
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PA PUC

MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

Honorable Kandace F. Melillo
March 7, 2007
Page 2

Thank you very much for your attention to these matters. Please contact me at the above-listed number with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "SKH/aa", with a long horizontal flourish extending to the right.

Steven K. Haas
Counsel to Verizon Pennsylvania Inc.

SKH/kml

Enclosures

cc: Charles Zimmerman (with enclosures)
Shaun A. Sparks (with enclosures)
George Dutton (with enclosures)

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No:	C-20067044	Prehearing Held:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Case Name:	Charles Zimmerman v. Verizon Pennsylvania Inc	Hearing Held:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
DOCUMENT FOLDER		Testimony Taken:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
		Transcript Due:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
		Hearing Concluded:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
		Further Hearing Needed:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Location:	Harrisburg	Estimated Add'l Days:	N/A		
Date:	Thursday, March 15, 2007	RECORD CLOSED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
ALJ:	Kandace F. Melillo	Briefs to be Filed:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Reporting Firm:	Sargents Court Reporting	Bench Decision:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
RECEIVED APR - 9 2007 PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU		REMARKS:	Briefs to be filed. Rec'd will not close unt. 1 briefs f. l'd.		
		DATE:			
		DATE:			

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Steven K. Haas, Esq	Hawke McKeon Smircak Kennard LLP 100 N. 10th St. City: Hbg State: PA Zip: 17101	Respondent Steven K. Haas VZ PA Inc.
Telephone:	E-mail Address:	Fax Number:
Jennedy E Santolla, Esq	555 Walnut St 5th fl. City: Hbg State: PA Zip: 17101	Intervenor OCA
Telephone:	E-mail Address:	Fax Number:
Charles Zimmerman	3683 Calumet St City: Phila. State: PA Zip: 19129	Complainant Pro Se
Telephone:	E-mail Address:	Fax Number:

Check this box if additional parties or attendees appear on back of form.

Mica Brent (done by Kim-Jhan)
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

BA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor Forum Place

Harrisburg, Pennsylvania 17101-1923

(717) 783-5048

800-684-6560 (in PA only)

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

IRWINA, POPOWSKY
Consumer Advocate

March 19, 2007

ORIGINAL

James J. McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg
400 North Street
Harrisburg, PA 17120

Re: Zimmerman v. Verizon Pennsylvania, Inc
Docket No. C-20067044

Dear Secretary McNulty:

Enclosed please find for filing an original and three (3) copies of the Office of Consumer Advocate's Notice of Withdrawal Intervention in the above-captioned proceeding. At this time we request that you remove the Office of Consumer Advocate from the service list on this case.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,

Jennifer E. Santolla
Assistant Consumer Advocate
PA Attorney I.D. # 203098

**DOCUMENT
FOLDER**

Enclosures

cc: All parties of record
Judge Kandace F. Melillo

93174

SECRETARY'S BUREAU
2007 MAR 19 PM 4:02
68

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHARLES ZIMMERMAN
Complainant

v.


VERIZON PENNSYLVANIA INC.
Respondent

Docket No. C-20067044

NOTICE OF WITHDRAWAL OF INTERVENTION

The Office of Consumer Advocate hereby gives its Notice of Withdrawal of Intervention in the above-captioned proceeding. Please withdraw the appearance of the undersigned attorneys in this matter.

Respectfully Submitted,



Shaun A. Sparks
PA Attorney I.D. # 87372
E-Mail: ssparks@paoca.org
Jennedy E. Santolla
PA Attorney I.D. # 203098
E-Mail: jsantolla@paoca.org
Counsel for:
Irwin A. Popowsky
Consumer Advocate

DOCUMENT
FOLDER

DOCKETED
MAR 27 2007

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

DATED: March 19, 2007
93169.dtc

SECRETARY'S BUREAU
2007 MAR 19 PM 4:02

CERTIFICATE OF SERVICE

Re: Charles Zimmerman
v.
Verizon Pennsylvania, Inc.
Docket No. C-20067044

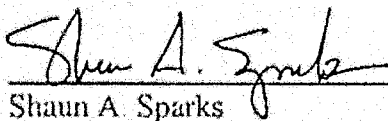
I hereby certify that I have this day served a true copy of the foregoing document, Notice of Withdrawal of Intervention, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 19th day of March, 2007.

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

Steven K. Haas, Esquire
Hawke, McKeon, Sniscak & Kennard L.L.P.
10 North Tenth Street
Harrisburg, PA 17101

Charles Zimmerman
3683 Calumet Street
Philadelphia, PA 19129



Shaun A. Sparks
PA Attorney ID#87372

ssparks@paoca.org

Jennedy E. Santolla

PA Attorney I.D. #203098

jesantolla@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
93177

SECRETARY'S BUREAU
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