

C-20016367

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March 12, 2002

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02 MAR 12 PM 1:03  
SECRETARY'S BUREAU

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

Re: Martha M. Landis v. The United Telephone Company of Pennsylvania; Docket  
No. C-20026992; MOTION TO CONSOLIDATE

Dear Mr. McNulty:

Enclosed for filing with the Commission are an original and three (3) copies of The United Telephone Company of Pennsylvania's Motion to Consolidate the above-captioned complaint with other matters already pending before the Commission. A copy of this document has been served 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.

Very truly yours,

Janet L. Miller  
Counsel for The United Telephone  
Company of Pennsylvania

REP

JLM/kmg  
Enclosures

cc: Honorable Louis G. Cocheres  
Martha M. Landis

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARTHA M. LANDIS,

Complainant

v.

Docket No. C-20026992

THE UNITED TELEPHONE COMPANY  
OF PENNSYLVANIA,

Respondent

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NOTICE TO PLEAD

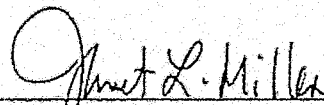
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TO: Martha M. Landis  
909 Newville Road  
Carlisle, PA 17103

SECRETARY'S BUREAU

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Pursuant to 52 Pa. Code §5.103(c), you are hereby notified that, if you do not file a written response to the enclosed Motion of The United Telephone Company of Pennsylvania ("United") within ten (10) days from service of this notice, the facts set forth in the Motion may be deemed to be true, without requiring other proof. All pleadings such as a Reply to the enclosed Motion must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for United.



Janet L. Miller  
Norman James Kennard  
Malatesta Hawke & McKeon LLP  
Harrisburg Energy Center  
100 North Tenth Street  
PO Box 1778  
Harrisburg, PA 17105-1778  
717-236-1300

DATED: March 12, 2002

Counsel for The United Telephone  
Company of Pennsylvania

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
ADMINISTRATIVE LAW JUDGE LOUIS G. COCHERES

MARTHA M. LANDIS,

Complainant

v.

THE UNITED TELEPHONE COMPANY  
OF PENNSYLVANIA,

Respondent

Docket No. C-20026992

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MOTION OF  
THE UNITED TELEPHONE COMPANY OF PENNSYLVANIA  
TO CONSOLIDATE FORMAL COMPLAINT

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The United Telephone Company of Pennsylvania ("United"), by its counsel in this matter, Malatesta Hawke & McKeon LLP, and pursuant to 52 Pa. Code §5.81 and §5.103, hereby files this Motion to Consolidate the Formal Complaint filed by Martha M. Landis with other Formal Complaints already pending before the Pennsylvania Public Utility Commission ("Commission"). In support thereof, United avers and represents as follows:

1. On February 8, 2001, Jeb Billet filed a Formal Complaint with the Commission requesting that Extended Area Service ("EAS"), or toll-free calling, be provided from United's Carlisle exchange to the exchanges of Mechanicsburg, Enola, Camp Hill and Harrisburg,<sup>1</sup> which

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<sup>1</sup> The Enola and Camp Hill areas are not separate exchanges, but are areas encompassed within the Harrisburg exchange.

exchanges are served by Verizon Pennsylvania Inc. ("Verizon PA"). This Formal Complaint was docketed at Docket No. C-00014854.<sup>2</sup>

2. Identical Formal Complaints were filed on March 2, 2001 by June Billet (C-00015011), Kevin Greenholt (Docket No. C-00015012) and Daniel Lightner (Docket No. C-00015013). Mr. Greenholt and Mr. Lightner later withdrew their Formal Complaints.

3. On August 15, 2001, a Formal Complaint was filed by Donald L. Sheaffer seeking EAS from the Carlisle exchange to Verizon PA's Mechanicsburg and Harrisburg exchanges. This Formal Complaint was docketed at Docket No. C-20016019.

4. On August 17, 2001, a Formal Complaint was filed by Cynthia Gorski seeking EAS from the Carlisle exchange to Verizon PA's Mechanicsburg exchange. This Formal Complaint was docketed at Docket No. C-20016041.

5. On October 25, 2001, a Formal Complaint was filed by Craig G. and Brenda Stone, seeking EAS from the Carlisle exchange to Verizon PA's Mechanicsburg exchange. This Formal Complaint was docketed at Docket No. C-20016367.

6. On December 4, 2001, a Formal Complaint was filed by Lois E. Gleim, in which she requests that the Commission deny the request for EAS from the Carlisle exchange. This Formal Complaint was docketed at Docket No. C-20016536.

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<sup>2</sup> On September 25, 2001, the Commission served upon United thirty-nine (39) similar Formal Complaints that were docketed in the Jeb Billet proceeding (Docket No. C-00014854). These complaints were received from the following individuals: Curt James, Paul F. Stringfellow, Carolyn H. Cams, Robert Cook, Norma Frame, Janet L. Priest, William and Donna Bailey, Richard Shaughnessy, Margaret E. Lutz, Mari Harding, Stephanie Orsini, Dyan Gibbs, Patricia Wingard, Patsy Shover, Dean Bowers, Barbara Falco, Veronica C. Wojciechowski, Marcella J. Ciecierski, Kellie Vonstein, Helen Faylor, Howard G. Moody, Wayne M. Gehr, Charles Hummel, John L. Rush, Ed Roush, Donald A. Maurice, Alisha Cross, Helen C. Fischbach, Kelly Mason, Jane Chilton, Eric Behrenshausen, Linda Walker, Jennifer McCullough, Michael Schneider, Jaimi Gutshall, Steve Whistler, Sue Eberly, Lisa D. DeGregorio and Michelle Risbon. Ms. Wojciechowski, Ms. Ciecierski, Ms. McCullough and Ms. Cams later withdrew their Formal Complaints.

7. On February 25, 2002, Martha M. Landis filed this Formal Complaint, in which she also requests that the Commission deny the request for EAS from the Carlisle exchange. This complaint has been docketed at Docket No. C-20026992.

8. For purposes of hearing and disposition, all the Formal Complaints referenced in Paragraphs 1-6, above, have been consolidated into a single proceeding before Administrative Law Judge Louis G. Cocheres.

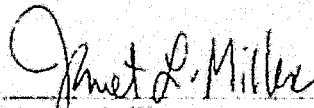
9. The Commission's Regulation at 52 Pa. Code §5.81 provides that proceedings may be consolidated if they involve common issues of fact and law. The Formal Complaints referenced in Paragraphs 1-5, above, each seek Extended Area Service from United's Carlisle telephone exchange to the Harrisburg and/or Mechanicsburg exchanges. Ms. Gleim and Complainant each ask that the Commission deny the relief sought by the other complainants. The facts and issues to be raised by the individual Complainants and by United will be common -- regardless of whether the Complainant is for or against Extended Area Service for the Carlisle exchange. Likewise, the defenses to be raised by United in response to each Formal Complaint will be identical. Therefore, the Commission's standard for consolidation is satisfied. A consolidated proceeding will eliminate unnecessary time and expense to the parties, the Administrative Law Judge and the Commission, and will allow these proceedings to be litigated most efficiently.

10. Currently, United, Verizon PA and various of the Complainants referenced above are engaged in settlement discussions. Should a settlement be reached that results in an agreement to implement Extended Area Service from the Carlisle exchange, Complainant can file comments in opposition to the settlement and can voice her disagreement to the expanded local calling area during a customer poll that would be required. Should these matters proceed to

hearing, Complainant will have an opportunity to state on the record the reasons why she is opposed to the expansion of the local calling area of the Carlisle exchange. Thus, Complainant's rights will not be prejudiced by the consolidation requested in this Motion.

WHEREFORE, The United Telephone Company of Pennsylvania respectfully requests that the Formal Complaint filed by Martha M. Landis at Docket No. C-20026992 be consolidated for purposes of hearing and decision with the Formal Complaints referenced in Paragraph 1-6 of this Motion.

Respectfully submitted,



Janet L. Miller  
Norman James Kennard  
Malatesta Hawke & McKeon LLP  
Harrisburg Energy Center  
100 North Tenth Street  
PO Box 1778  
Harrisburg, PA 17105  
717-236-1300

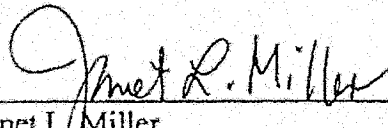
Counsel for The United Telephone Company  
of Pennsylvania

DATED: March 12, 2002

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AFFIDAVIT

I, Janet L. Miller, certify that I am Counsel for The United Telephone Company of Pennsylvania, 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 The United Telephone Company of Pennsylvania 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.



Janet L. Miller  
Malatesta Hawke & McKeon LLP  
Harrisburg Energy Center  
100 North Tenth Street  
PO Box 1778  
Harrisburg, PA 17105  
717-236-1300

Counsel for The United Telephone  
Company of Pennsylvania

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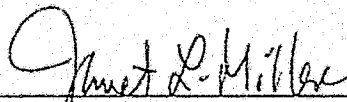
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CERTIFICATE OF SERVICE

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:

Martha M. Landis  
909 Newville Road  
Carlisle, PA 17103

  
\_\_\_\_\_  
Janet L. Miller

DATED: March 12, 2002

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