

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 06/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 10/30/06
8. DOCKET NO: C-20067025	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: CLARK, MARY L.

RESPONDENT/APPLICANT: CAVALIER TELEPHONE MID-ATLANTIC

COMP/APP COUNTY:

UTILITY CODE: 310838

ALLEGATION OR SUBJECT

COMPLAINANT STATES CHARGES FOR BILL SHE SHOULD NOT HAVE TO PAY. SHE WOULD LIKE THE PUC TO HAVE CAVALIER GIVE CREDIT FOR BILL SINCE SHE NEVER ACTUALLY HAD SERVICE WITH THEM.

DOCKETED
NOV 03 2006

**DOCUMENT
FOLDER**



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

OCTOBER 5, 2006

BCS2041592

MARY CLARK
624 JOHNSON AVENUE
LINWOOD PA 19061

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before OCTOBER 25, 2006 to the address listed below:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.

- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.
- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- **If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:**

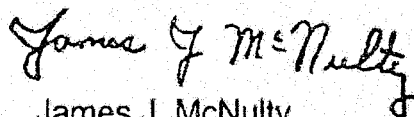
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty
Secretary

SS

cc: CAVALIER TELEPHONE CO

September 13, 2006

Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

2006 SEP 15 11 9:41

SECRETARY'S OFFICE

Re: 6104478844
BCS No: 2041592

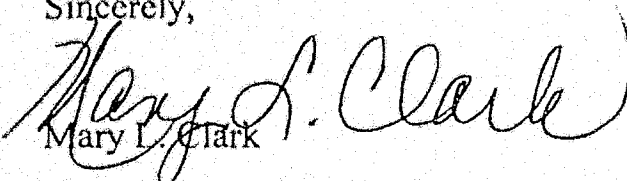
Dear Ms. Robinson-Brown:

I am in receipt of your decision toward my complaint on Tuesday, September 12, 2006 which was forwarded from my old address. I do not understand how you are able to reflect this decision in the favor of Cavalier Telephone Service when you have not obtained information from all parties (to include Comcast). Of course, the documentation given to you was not taken in account although I had no dial tone with Cavalier. I see the only way to change your mind or to help you to see the light in this dilemma is to get Comcast involved. Those technicians that came to service me knew that I had no dial tone. If these documents were requested, I am certain that your decision would reverse.

When you called my job I was unprepared since I did not have all my information in front of me. I also informed you that I had moved therefore the files were still boxed up. I have nothing to hide nor would I waste my energy to collaborate false events that occurred. It is a horrible thing that anyone would go through the situation that my family and I encountered with Cavalier. This is my reason to appeal your decision because it makes no sense to purchase air. If placed in my shoes I am sure that you would agree with me.

I thank you for your attention to this matter and appreciate your time. Please send any correspondence to the new address and if you should need to contact me please call (610) 447-3424.

Sincerely,


Mary L. Clark

Cc: Comcast
File

APPEAL FORM

I want to appeal this Informal Complaint Decision. Please send me formal complaint forms at the address listed below

2041592
BCS Number

September 5, 2006
Date of Mailing

Company Name:
Cavalier Telephone Company

RECEIVED
SEP 13 11 51 AM
PA PUBLIC UTILITY COMMISSION

CUSTOMER NAME AND ADDRESS
Please correct any mistakes in your name and address.

MARY CLARK
3922 ELSON RD
BROOKHAVEN PA 19015 1944

Mary A. Clark
Customer Signature

*(610) 447-
(610) 203-7881 cell*
(Area code) Telephone no.

Mail this completed form to:

Secretary
PA Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

*work between the hours of
8 AM - 4 PM
Mon. thru Fri.*

THIS SLIP MUST BE RETURNED WITHIN 10 DAYS OF THIS DATE:

September 5, 2006
APPEAL DATE

You Do Not Need a Lawyer to File
A Formal Complaint and Have a Hearing!

*Mary L. Clark
624 Johnson Avenue
Linwood, PA. 19061*

*received on
9/12/06
at old address
(forward)*

5

Urgently

BCS2041592

CAVALIER TELEPHONE CO

Must be returned by OCTOBER 25, 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20067025

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Mary L. Clark

Street/P.O. Box 624 Johnson Ave. Apt # —

City Linwood State PA. Zip 19061

County Delaware

Area Code/HOME Phone (610) 485-2284

Area Code/WORK Phone (610) 447-3124

Utility Account Number 3568305
(from your bill)

ORIGINAL

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name Mary L. Clark

Street/P.O. Box 3922 Elson Road

City Brookhaven State PA. Zip 19015

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Cavalier

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

SECRETARY'S BUREAU
2006 OCT 30 11:10:33

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other. ^(explain) On the day that Cavalier sent a tech to my home and interrupted service I did not have a working telephone line until Comcast came →

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Attached please find documentation of all accounts that occurred.

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

I don't believe I owe Cavalier Telephone Company any money since I had no operable telephone service w/ them.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES

(includes appeals of BCS determinations)*

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: Mary L. Clark, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Mary L. Clark (Signature) 10/20/06 (Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name N/A

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U S Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

January 18, 2006

Cavalier Telephone Service
PO Box 2950
Richmond, VA 23228

Re: Mary L. Clark
(610) 447-8844
#3568305

Dear Sir/Madam:

With this letter, I would like to express my frustration with Cavalier Telephone Service. Cavalier sent a Tech by the name of Tony to my home (without my knowledge) on 12/29/05 to transport my number (610) 447-8844.

As of this date my telephone did not operate properly. I found out that this Tech actually **CUT** my telephone lines that caused the initial problems at my home. I could not retrieve messages and receive calls for approximately **19** days. Through this ordeal I spent a substantial amount of time on the telephone with Cavalier and after being disconnected a zillion times on this date I decided on the SAME day your tech interrupted my service to return to Comcast. Although, I was paying more money under Comcast I never experienced such a chaotic mess I was in with Cavalier.

The attached documents will indicate the detailed conversations that I had with you. I don't believe I owe you a fee of any kind since you disrupt my service on 12/29/05. Even after I called you to return telephone service to Comcast you deliberately forward all my calls to voicemail so I would not be able to retrieve or receive calls. It is a joke that you would submit payment for a service of this kind.

Comcast has already billed me for service from December 2005 up to February 2006. Currently, you have not released the number back to Comcast so I had to obtain a NEW number because of your deceptive ploy. I refuse to make payment for a service I never had. Quite frankly, you should pay my family and I for ALL the inconvenience and mental anguish you caused us for nineteen days. I would suggest that you get your telephone business in order since it reflects a product that surely DOES NOT stand by their advertisements.

If you do not release (610) 447-8844 to Comcast I would like to inform Verizon of your dishonesty since this telephone number was initially theirs.

Sincerely,

Mary L. Clark

CC: William Bonner, Attorney at Law
Federal Communications Commission TSR22
Comcast
Verizon

MY CORRESPONDENCE

January 5, 2006

I wanted to fax this to Cavalier but they do not have a fax.

Cavalier Telephone
2134 Laburnum Avenue
Richmond, VA 23227

Re: Mary L. Clark
(610) 447-8844

Dear Sir/Madam:

I have contacted you on a numerous occasions to inform you that I would like to **CANCEL** your service. My contacts with you are listed below;

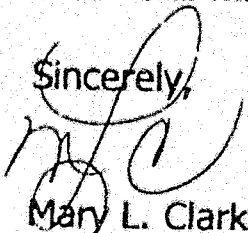
12/29/05 @ 5:44 p.m.	Paul
12/29/05 @ 6:00 p.m.	AJ
12/29/05 @ 6:41 p.m.	Natasha
12/30/05 @ 8:41 a.m.	Brandy
12/30/05 @ 4:51 p.m.	Jeff
01/04/06	Paul

(2) Two Email Response Correspondence from Courtnie Wykle

I have yet to understand your reason for **slamming** my number on 12/29/05. As of this date, I have not been able to retrieve or receive my calls for **EXACTLY (8)** eight days. It is a great inconvenience to miss job opportunities, my children calls from school and not being able to obtain emergencies calls from them.

It is unfortunate that you would run a business as such. This is my last attempt to settle this matter or I might need to seek legal advice regarding the situation.

Sincerely,



Mary L. Clark

Cc: FCC
William Bonner, Attorney at Law
File

*Faxed to FCC
1/5/06 @ 12:50 p.m.*

Cavalier ~ vs ~ Comcast Dilemma

Please note that Cavalier's Repair Department is called the Trouble Team.

12/08/05 – Spoke to Justine

(I called from my parents home)

(800) 950-7858

(800) 683-3944

I called Cavalier to see about their rates for telephone service. I was told it was \$24.95 a month. Justine informed me that it would take **6 to 7 weeks** (approximately January 19th to the 26th). He stated that since I had digital voice with Comcast that they probably wouldn't let me go in good faith. It is a long process because Telephone Carriers don't want to release their customers. He stated that it **normally takes 3 to 4 weeks**.

I was informed that it would be \$24.95 a month plus federal, state, and local tax. The ID number for this is #0321014. Justine stated that this number means nothing to me and a deposit is not needed.

Please note at this time I was not informed that a Cavalier Tech was going to come to my home because if I knew then I would have been there.

My Opinion:

If I knew that I was going to go through this chaos I would have never made this call. I don't know why the telephone carriers would be in such a dispute when it is the customer's decision whether they go with another carrier or stay with their current one. But, I found this subject on competition to be quite interesting and a venture I will **NEVER** visit again.

I can remember when I switched **from Verizon to Comcast** and I did not go through what I am at witness today. I would not want anyone to go through what I have experienced with Cavalier!!!!!!!

12/09/05

I am in receipt of a welcome letter from Cavalier dated 12/09/05.

12/29/05 – Door Stopper Note found on my front door from Cavalier's Tech, Tony

Please note that I had no trouble with my telephone the night before on 12/28/05. I had even obtained voicemail messages and received calls. When I returned from work on 12/29/05 I went to check my mailbox and found a Cavalier door stopper note on my front door. The note stated that a Cavalier Tech was at my home by the name of Tony. It had the following option X;

X I have completed your service call. Your telephone service has been installed/repaired and is ready for you to use. If you are still experiencing problems, please call 1-866-221-1063.

Please note: I got home approximately 4:30 pm and when I checked my voicemail I had no calls. But, when I called people they informed me that my telephone would ring and go straight to voicemail. The recording stated the following;

The customer is not available please leave message at the end of the tone:

12/29/05 @ 5:44 p.m.

Spoke to Paul

(866) 211-1063

I called Cavalier because of this problem. I waited a substantial amount of time before someone came on the line. I informed Paul of my call with Justine and all that I had experienced. He stated that he would try to call my telephone. Of course, when he did I didn't even get a beep. This would mean that my two-way was not working either. Paul asked me if the Comcast device was still connected. I said yes, because I still get internet service from Comcast so it would still be connected. Paul stated that the "device" was the problem. He told me to go to the box and disconnect it. I had to get on a cordless telephone since the box was located downstairs in my laundry room. I went to the box and guess what? I had no more dial tone. Paul was gone.

12/29/05

Spoke to AJ

(866) 211-1063

I dialed the same number and the exact same prompts came on as before. I waited for a substantial amount of time once again. This time I got AJ who was in the Internet Department. He stated that he had to transfer me to repair. Guess what? I'm holding again. I've been on hold over 20 minutes and finally I hear a telephone ringing. The phone is ringing and ringing...what the heck is going on because NO ONE is picking the telephone up. I let the telephone ring at least twenty times before I hung up.

To be frank, I was fed up already! Please remember I just got off work and usually the children's father calls the house to let my girls know that he is on his way to pick them up. Of course, he couldn't call the house with this trouble. I figure I would take a bath and get on this Cavalier problem after I got cleaned up.

12/29/05 @ 6:41 p.m.

I called Cavalier again and it states you might experience a 15 minute wait. While I was on the telephone I went on-line since the recorded message on the telephone states that I can talk with a live person. I'm waiting on the telephone and go on-line to the following site;

www.cavtel.com
Click Customer Care
Click Repair Chat

When I did the above steps the response is that it is 3 people ahead of me. It is now 7:09 p.m. I begin to think about Comcast and their telephone service. I am certain that they are available 24 hours. Wow! I made a note to later to compare the two carriers because if I was having this sort of troubles with Cavalier now, what would I experience in the future?

At approximately 7:14 p.m. a Cavalier representative came on the telephone line by the name of Natasha. I disconnected the live chat sessions with Cavalier since there were 3 other people still waiting to be answered. I explained this dilemma to Natasha and noticed that the background music was louder than normal. Me oh my!

Natasha came back on the line and it is now 7:30 p.m. It seemed like forever because not one of these individuals fixed the problem I was experiencing. I was so fed up with this situation! I

to tell her that I am not getting any calls. My telephone is NOT ringing. I am not getting my messages on the voicemail and the recorded messages saying all calls have been forwarded to an automatic voice message machine.

At this time I told Natasha to please discontinue service with Cavalier. I cannot take this trouble, this is totally ridiculous! She informed me that I would have to contact another department to report my current status. I had wondered, why couldn't she notate my decision? When I originally called Customer Care they seem to help with repairs and everything else. I noticed that when I initially called for the service it was the same number but when I called the number everyone was transferring me and disconnecting me. No more!!!! This telephone service is a total joke. I had enough for one night. I could not believe I was on the phone for such a period of time. I felt I would get on this first thing tomorrow morning.

12/30/05 – Friday @ 8:30 a.m. – Trouble Team (866) 221-1063

The voicemail is going into all these different spills. This is totally ridiculous that I am waiting on the telephone to receive a response at 8:30 in the morning and no one is answering the telephone. At approximately 8:41 a.m. I got someone named Brandy.

She asked for my name, telephone number, address with zip code and the last 4 digits of my social security number. After explaining my dilemma she puts me on hold and transferred me to another department. Of course, I will have to say all the above like I had to do yesterday. Each and every time someone new came on the telephone I had to verify all these things. I am certain that those who are reading these notes that they are tired of the dilemma by now. When I am transferred the telephone just disconnects.

I am fed up and done with Cavalier!!!

12/30/05-Friday @ 8:55 a.m. – Contacted Comcast (610) 876-5000 – Spoke to Amy

I explained the entire situation to Amy and told her that I want to stay with Comcast. I rather pay the extra money in order to have operable service that works properly. She stated that she would transfer me to someone that was more diverse with this sort of situation concerning ported numbers. She scheduled for a Comcast Tech to come out to my home later in the day between the hours of 1 pm to 5 pm. After scheduling the appointment she transferred me. I reached someone by the name of Clinton who was quite helpful and apologized that I was experiencing such a dilemma. I told him that I no longer desired to be with Cavalier and could anyone help me. He said that he would send my request to his supervisor so my number would not be ported. The ticket number is #CR052207801. The telephone line disconnected and I called back and got Maggie.

It will take 3 business days – For a new number

It will take up to 10 business days – to keep my old number

12/30/05-Friday @ 4:41 p.m. – Comcast Tech, Stanford came to my home

The same day I called Comcast a tech was able to come out to my home. Stanford stated that when Cavalier's Tech, Tony came to the house he just ported and switched the lines outside but didn't come inside to do anything. He heard a dial tone and just left. Stanford stated that Cavalier has your line because they are directing all of your calls to "their" voicemail. I told him that I tried to get the messages (if I have any) and their voicemail is stating that my telephone is not valid.

→
- 1001

Called Comcast on 12/30/05 @ 8:51 AM

I spoke to Anne and explained my situation. She transferred me to Clinton

Clinton was very helpful. He said he was sending the # posted no. to his supervisor so Cavalier could not transfer. Somehow the phone disconnected. Maggie - I called back and she listened while I explained the

ticket no. # CR 05220780/

(60)
441-4912

Why did Cavalier send out Tony
on 12/29/05?

Start a Career In Nursing

Earn your nursing degree online **start**

Mail | Addresses | Calendar | Notepad | What's New - Mail For Mobile - Upgrades - Options

Check Mail | Compose | Search Mail | Search the Web

Vonage Best Offer Yet
US/Canada \$19.99/mo

Previous | Next | Back to Messages

Delete | Reply | Forward | Spam | Move...

Folders [Add - Edit]

- Inbox (3)
- Draft
- Sent
- Bulk [Empty]
- Trash [Empty]

My Folders [Hide]

- 150 Six Enterta...
- A Touch of Heaven
- AdamnEve (1)
- AirTran
- Alison
- Austin Sparks (1)
- Big Church
- Bond Servant Dirk
- CUESPA101 (1)
- Cafe Le CruX
- Cards
- Cavalier
- Church for All
- College (1)
- Comcast
- Conferences
- Contacts
- Counseling
- Dance
- Debt (6)

This message is not flagged. [Flag Message - Mark as Unread] Printable View

Subject: RE: Cavalier's Transport # Complaint (w/attachments)

Date: Wed, 4 Jan 2006 11:40:33 -0500

From: "Residential Info" <residentialinfo@cavtel.com> [View Contact Details]
Add Mobile Alert

To: "Mary Clark" <cfire4him@yahoo.com>

Thank you for your recent message concerning Cavalier Telephone services.

I am very sorry for the inconvenience we have caused you and for the lack of service that you have received. I will be happy to assist you with your account. First, we need to verify if you want to proceed with our service or if you would like to cancel our service. The reason I ask is because I have received two emails from you stating to close the account, but I show that we have scheduled a technician to come to your home on 1/5/06 to activate the dial tone. Once the dial tone is active at your home, we can submit the adjustment to your account to waive any fees that have occurred during the time you have been without service. If you decide to transfer back to Comcast, we will zero out any balance on your account due to the problems that you have experienced with our service.

In order to transfer your service back to Comcast, you will need to contact them and request for them to initiate the "winback" order. A winback order is an order to transfers someone's current service to a new provider. If you would like to keep your current number, we cannot cancel your account with us until Comcast takes over your line.

Cavalier did take over your service on 12/29/05. Comcast is not able to bill you for phone service after that date.

If you decide to stay with Cavalier, I will also submit a one month free service credit to your account for the inconvenience we have caused you. Please advise me on how you would like to proceed.

Handwritten note: Please request the team

Handwritten note: When I see this email message I called the no above of course, I'm on hold again.

YAHOO! MAIL

Print - Close Window

Date: Sun, 1 Jan 2006 13:15:29 -0800 (PST)
From: "Mary Clark" <cfire4him@yahoo.com>
Subject: Telephone Undermining Tactics
To: "Cavalier Customer Service" <residentialinfo@cavtel.com>
CC: "Federal Communications Commission" <fccinfo@fcc.gov>, "cfire4him@yahoo.com" <cfire4him@yahoo.com>

January 1, 2006

Re: Cavalier Won't Release My Number to Comcast

Dear Sir/Madam,

(Very last call to Cavalier)

On Friday, December 30, 2005 I spoke with Jeff on the "Trouble Team" he stated that he wanted to send a Cavalier Tech out to my home which is pointless at this time. Since a Cavalier Tech came to my home this is when the "problem" began and I have found lines cut in my box. I have already informed Cavalier to release my number **back to Comcast**. Comcast is forwarding the necessary paperwork to your office. I would rather pay the extra money and have a service that works properly.

It is quite clever of you to transport a number and have it going straight to Cavalier's voicemail so the customer is unable to retrieve their messages or receive calls. Therefore, the customer might be obligated to you because of your demise. But, of course you fail to understand what makes a business successful. People desire to pay for service that they can depend on and that service should come with some integrity.

I should have researched your company since I've found an overwhelming number of complaints that indicate the exact **SAME** problem that I am having with your service today. Isn't that quite a coincidence? I forward an email to the FCC of the detailed events of my troubles with you and my reason for that is that I would never want anyone to experience what I have with your company.

Sincerely,
 Mary L. Clark
 (610) 447-8844

Jeff had me go outside to look into the box. I had to get a chain w/ a butter knife since I could not find the screwdriver. As I did this while I was on the cordless telephone, I couldn't believe I was doing this Cavalier. Some kind of service.

YAHOO! MAIL

Print - Close Window

Date: Sat, 31 Dec 2005 09:21:22 -0800 (PST)
From: "Mary Clark" <cfire4him@yahoo.com>
Subject: Cavalier's Transport # Complaint
To: fccinfo@fcc.gov
CC: "Cavalier Customer Service" <residentialinfo@cavtel.com>, "cfire4him@yahoo.com" <cfire4him@yahoo.com>

Mary L. Clark
3922 Elson Road
Brookhaven, PA. 19015
Work (610) 447-3424
Home (610) 447-8844
cfire4him@yahoo.com

December 31, 2005

Federal Communications Commission
445 12th Street SW
Washington, DC 20554
Attn: Barry Bohac, Deputy Regional Director

Re: Cavalier Transport # Complaint
(610) 447-8844

Dear Mr. Bohac:

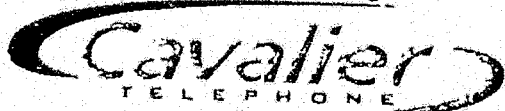
Attached please find documents that consist of detailed events of this transport complaint. I called Cavalier on 12/08/05 to inquire of their service. I was informed at that time that it would take approximately 6 to 7 weeks (from January 16th to the 26th, 2006) to transport a number. At this time I was not informed that a Cavalier Tech would come out to my home and interrupt my telephone service.

On 12/29/05, I found a note on my door stating that a Cavalier Tech by the name of Tony came to my home to transport a number. I did not have trouble before this tech came to my home but when I made calls out I was told that the recording stated that I was unavailable and calls were being forward to a voicemail. The attached files will interpret my exact conversations with Cavalier and Comcast.

I am in receipt of a bill from Comcast prepared 12/23/05 in the amount of \$46.45. My question is, **who am I to pay?** I understand the competitive rival between the two companies and I do not wish to be apart of this game. I would just like my service to work properly. Currently, I cannot receive calls and Cavalier will not release my number back to Comcast. They are telling me it will take up to 10 business days to keep my number and up to 3 business days to change it. This is ridiculous!

I thank you to your attention to this matter and appreciate your time to intervene in this situation. I pray that **NO ONE** has to go through what I've went through with Cavalier.

You may contact me during the hours of 8 am to 4 pm at the work number (610) 447-3424. If you should need documentation (such as; telephone bills, detailed events, authorized letter with my signature, etc.) fax to you, please let me know and I would be glad to do so. Again, I thank you for your assistance for servicing me.



P.O. Box 2950 Richmond, VA. 23228-0000
 WWW.CAVALIERTELEPHONE.COM
 Return Service Requested

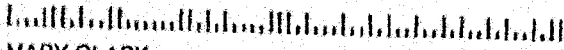
Remittance Section

Statement Date: 01/02/2006
 Account Number: 3568305
 Telephone Number: 610-447-8844
 Due Date: 01/30/2006
 Total Due: \$ 17.39
 Amount Enclosed: \$

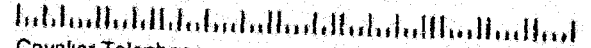


To pay by credit card, please call 800.609.2799
 or visit us online at www.cavtel.com

5320006635 PRESORT 306 P3 C36
 8635 1 AT 0.272



MARY CLARK
 3922 ELSON RD
 BROOKHAVEN PA 19015-1944



Cavalier Telephone
 P.O. Box 37284
 Baltimore, MD 21297-3284

1390610447884400000000000000000017990000003568305200601024

Please detach here and return above portion with payment
 Make checks payable to Cavalier Telephone and note your phone number on your check.

Invoice Information

Statement Date: 01/02/2006
 Account Number: 3568305
 Telephone Number: 610-447-8844



P.O. Box 2950 Richmond, VA. 23228-0000
 WWW.CAVALIERTELEPHONE.COM

Important Messages

New Web Portal for Cavalier Customers!

Take a look. We've developed a new web portal just for you. Setup a free account and create your own customized home page. Select what you want to display from over 40 different content groups including news, sports, movies, careers, photos, travel horoscopes and entertainment. See for yourself - www.cavtel.net

THIS BILL IS A JOKE!

I did not inquire of your service until 12/8/05, but you bill me on 12/2/05.

You sent a Cavalier Tech out to my home on 12/29/05 and he disrupted my service as of that date. I have not been able to receive or retrieve calls.

Comcast has already billed me and charged telephone services for this month. You need to thank your customer.



Master Number: 610-447-8844

Customer Name: MARY CLARK
Customer Address: 3922 ELSON RD
CHESTER TWP, PA. 190150000

Account Number: 3568305

Summary of Charges

Balance Information	
Previous Balance	
Payments - Thank You	
Adjustments	
Late Charges	0.00
Past Due Balance	0.00
Current Charges	0.00
Taxes & Fees	0.00
Monthly Services	13.06
Total Current Charges	4.93
Total Amount Due	17.99

OK: KOL

I REFUSE TO PAY THIS BILL.

This bill was prepared on 01/02/2006. A late payment charge will apply to any amounts not received by 01/30/2006. Any past due balance is considered delinquent and should have been paid prior to the new statement date. Please remit past due balance immediately.

Statement Date	Description	Amount
01/02/2006	End User Common Line	7.00
01/02/2006	Federal Excise Tax	0.49
01/02/2006	LNP Surcharge	0.23
01/02/2006	USF Line Charge	0.70
01/02/2006	End User Access Fee	2.97
01/02/2006	Gross Receipts	0.60
01/02/2006	Relay Surcharge	0.07
01/02/2006	Emerg. 911 Surcharge	1.00
Total		13.06

Monthly Services

Service Period	Description	Amount
12/02/2005 - 01/01/2006	Directory Listing - Non Publish	1.71
12/29/2005 - 01/01/2006	Call Waiting	0.00
12/29/2005 - 01/01/2006	Anonymous Call Rejection	0.00
12/29/2005 - 01/01/2006	Call Block - Terminating	0.00
12/29/2005 - 01/01/2006	Call Forward	0.00
12/29/2005 - 01/01/2006	Remote Call Forward	0.00
12/29/2005 - 01/01/2006	Caller ID	0.00
12/29/2005 - 01/01/2006	Home Voice Mail Single	0.00
12/29/2005 - 01/01/2006	Speed Dial 8	0.00
12/29/2005 - 01/01/2006	Return Call Monthly '69	0.00
12/29/2005 - 01/01/2006	Repeat Dialing Monthly '86	0.00
12/29/2005 - 01/01/2006	3 Way Conferences Calling	0.00
12/29/2005 - 01/01/2006	900 Call Block	0.00
12/29/2005 - 01/01/2006	Residential Line w/Metro Calling	0.00

How does this bill generate as of 12/18 when I did not contact you until 8/10/05?

A Cavalier tech came to my home on 12/29/05 No service. I



October 20, 2006

Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA. 17105

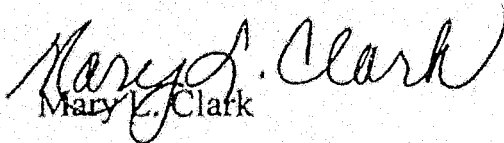
Re: Mary L. Clark vs Cavalier Telephone Company
BCS2041592

Dear Sir/Madam:

Attached please find a formal complaint form against Cavalier Telephone Company. I request a telephone hearing since I have upcoming commitments for union business. I thank you for your attention to this matter and appreciate your expertise in review of this case.

If you should have any questions or concerns, please feel free to contact me at (610) 447-3424 or (610) 203-7881.

Sincerely,


Mary L. Clark

Cc: File



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: NOVEMBER 3, 2006

C-20067025

CAVALIER TELEPHONE MID-ATLANTIC
2134 WEST LABURNUM AVENUE
RICHMOND VA 23227

**DOCUMENT
FOLDER**

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by MARY CLARK. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

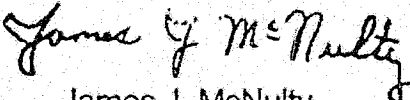
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

NOVEMBER 3, 2006

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,



James J. McNulty
Secretary

SS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: NOVEMBER 3, 2006

MARY CLARK

Complainant

v.

CAVALIER TELEPHONE MID-ATLANTIC

Respondent

Complaint Docket
No: C-20067025

DOCKETED
NOV 03 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: CAVALIER TELEPHONE MID-ATLANTIC

**DOCUMENT
FOLDER**

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

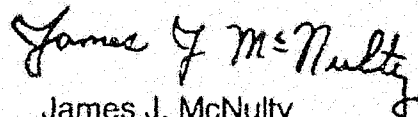
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if

you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234 1090 Fax (717) 234-1099
www.stevenslee.com

Direct Dial: (717) 255-7365
Email: mag@stevenslee.com
Direct Fax: (610) 988-0852

November 27, 2006

VIA HAND DELIVERY

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

RECEIVED
NOV 27 PM 4:00
SECRETARIAT'S BUREAU

Re: MARY CLARK v. CAVALIER TELEPHONE MID-ATLANTIC, LLC
Docket No. C-20067025

Dear Secretary McNulty.

Enclosed for filing on behalf of Cavalier Telephone Mid-Atlantic, LLC are an original and three (3) copies of the Answer to Complaint in the above-referenced matter. Copies have been served in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

ORIGINAL

Very truly yours,

STEVENS & LEE


Michael A. Gruin

MAG:toa
Encl.

**DOCUMENT
FOLDER**

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARY CLARK,
Complainant

Complaint Docket
No. C-20067025

vs.

CAVALIER TELEPHONE MID-ATLANTIC, LLC,
Respondent

REC'D
NOV 21 11 31 AM '06
B.C.D.

ANSWER OF RESPONDENT CAVALIER TELEPHONE MID-ATLANTIC, LLC

Cavalier Telephone Mid-Atlantic, LLC ("Cavalier" or "Respondent") provides its Answer to the untimely Complaint ("Complaint") of former customer Mary Clark, ("Complainant") and requests dismissal of the Complaint. Despite the failure of Complainant to comply with the Bureau of Consumer Services' determination in BCS No. 2148736 that Complainant owed Cavalier \$89.53 for the period of 12/29/2005 through 2/17/2006, Cavalier has decided, in a gesture of good will, to credit all charges appearing on Complainant's account, leaving the closed account with a balance of "zero," and thus requests dismissal of this Complaint.

Cavalier records show that Complainant requested Cavalier telephone service on 12/08/2005. Because Complainant's then-existing service was through a cable company (Comcast) and not a telephone utility, it was necessary for Cavalier first to order a loop from Verizon before switching Complainant's service from Comcast to Cavalier. On 12/20/2005, Cavalier confirmed delivery of the Verizon-installed loop. Upon Verizon's assurance that the loop was properly in place, Cavalier requested Comcast to release Complainant's telephone number to Cavalier. Comcast released the number on

DOCUMENT
FOLDER

DOCKETED
NOV 30 2006

12/29/2005 and that same day, Cavalier confirmed dial tone at the loop. Complainant called Cavalier later on 12/29/2005 to report that no telephone calls were ringing at Complainant's home. On 2/9/2006, Cavalier received a request from Comcast to release Complainant's telephone number to Comcast on 2/17/2006. Cavalier timely complied with the request.

Respondent hereby answers Complainant's allegations as follows:

1) In response to the handwritten allegations contained in Section 4 A of the Formal Complaint Form, Cavalier admits providing Complainant with service on 12/29/2005 in response to Complainant's request and further admits confirming the establishment of dial tone for Complainant's line. With respect to the remaining allegations contained in Section 4 A of the Formal Complaint Form, Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

2) In response to the handwritten allegations contained in Section 5 of the Formal Complaint Form, Cavalier admits providing service to the Network Interface Device ("NID"). With respect to the remaining allegations contained in Section 5 of the Formal Complaint Form, Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

3) In response to the typed allegations contained in the first paragraph of Complainant's attachment to the Formal Complaint Form¹, Cavalier admits sending a technician to Complainant's home on 12/29/2005 to confirm dial tone at the NID, admits

¹ Complainant's allegations are presented in part, as entries on the Formal Complaint Form, and additionally, throughout several attachments which Complainant incorporated by reference under Section 4 B of the Formal Complaint Form. Paragraph 1 of the January 18, 2006 attachment alleges: "With this letter, I would like to express my frustration with Cavalier Telephone Service. Cavalier sent a Tech by the name of Tony to my home (without my knowledge) on 12/29/05 to transport my number (610) 4[XX]-[XXXX]."

leaving a door card informing Complainant of establishment of Respondent's service, and denies that the technician was sent to transport Complainant's number. Further answering, Comcast provided number transport on 12/29/2005. With respect to the remaining allegations contained in Section 5 of the Formal Complaint Form, Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

4) In response to the typed allegations contained in the second paragraph of Complainant's attachment dated January 18, 2006 to the Formal Complaint Form², Respondent denies that Respondent's technician cut Complainant's telephone lines. With respect to the remaining allegations in the second paragraph, Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

5) In response to the typed allegations contained in the third paragraph of Complainant's attachment dated January 18, 2006 to the Formal Complaint Form³, Respondent restates its answer in 2) above, and denies forwarding Complainant's calls to voicemail so that Complainant would not be able to retrieve or receive calls. With respect to the remaining allegations in the third paragraph, Respondent is without

² Paragraph 2 of the January 18, 2006 attachment alleges: "As of this date my telephone did not operate properly. I found out that this Tech actually CUT my telephone lines that caused the initial problems at my home. I could not retrieve messages and receive calls for approximately 19 days. Through this ordeal I spent a substantial amount of time on the telephone with Cavalier and after being disconnected a zillion times on this date I decided on the SAME day your tech interrupted my service to return to Comcast. Although, I was paying more money under Comcast I never experienced such a chaotic mess I was in with Cavalier."

³ Paragraph 3 of the January 18, 2006 attachment alleges: "The attached documents will indicate the detailed conversations that I had with you. I don't believe I owe you a fee of any kind since you disrupt my service on 12/29/05. Even after I called you to return telephone service to Comcast you deliberately forward all my calls to voicemail so I would not be able to retrieve or receive calls. It is a joke that you would submit payment for a service of this kind."

information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

6) In response to the typed allegations contained in the fourth paragraph of Complainant's attachment dated January 18, 2006 to the Formal Complaint Form⁴, Cavalier admits providing service to the NID until 2/17/2006, and admits releasing Complainant's line on 2/17/2006 following a request from Comcast on 2/9/2006 for release of Complainant's line on 2/17/2006, and denies the remaining allegations as they pertain to Respondent. Further answering, Cavalier records do not show any other request from Comcast for release of Complainant's line. Further answering, Cavalier released Complainant's line to Comcast on the date Comcast selected. With respect to the remaining allegations in the fourth paragraph, Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

7) In response to the typed allegations contained in the fifth paragraph of Complainant's attachment dated January 18, 2006 to the Formal Complaint Form⁵, Cavalier admits releasing Complainant's telephone number to Comcast, and denies the remaining allegations.

⁴ Paragraph 4 of the January 18, 2006 attachment alleges: "Comcast has already billed me for service from December 2005 up to February 2006. Currently, you have not released the number back to Comcast so I had to obtain a NEW number because of your deceptive ploy. I refuse to make payment for a service I never had. Quite frankly, you should pay my family and I for ALL the inconvenience and mental anguish you caused us for nineteen days. I would suggest that you get your telephone business in order since it reflects a product that surely DOES NOT stand by their advertisements."

⁵ Paragraph 4 of the January 18, 2006 attachment alleges: "If you do not release (610) 4[XX] - [XXXX] to Comcast I would like to inform Verizon of your dishonesty since this telephone number was initially theirs."

8) In response to the typed allegations contained in Complainant's attachment dated January 5, 2006 to the Formal Complaint Form⁶, Cavalier admits providing service to Complainant's NID on 12/29/2005 in response to Complainant's request, and denies "slamming" Complainant's number. With respect to the remaining allegations in the attachment dated January 5, 2006, Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

9) In response to the typed allegations contained in Complainant's attachment to the Formal Complaint Form entitled "Cavalier vs. Comcast Dilemma,"⁷ Cavalier admits receiving a request from Complainant for Cavalier telephone services, sending a welcome letter, dispatching a technician, and leaving a door note. Further answering, Respondent admits Comcast ported Complainant's telephone number to Respondent on 12/29/2005, and denies that Comcast on 12/30/2005 retained any ability to block the port after porting had already occurred. With respect to the remaining allegations in the attachment entitled "Cavalier vs. Comcast Dilemma," Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

⁶Complainant's attachment dated January 5, 2006 appears to be a letter intended to be faxed to Cavalier, and bears a handwritten notation stating: "I wanted to fax this to Cavalier but they do not have a fax." In the typewritten portion, Complainant alleges: "I have yet to understand your reason for slamming my number on 12/29/05."

⁷ Complainant's typed attachment to the Formal Complaint entitled "Cavalier vs. Comcast Dilemma" is three pages long and appears to represent Complainant's recorded recollection of the current matter. It does not appear to be a contemporaneous record.

10) In response to the handwritten allegations in the attachment to the Formal Complaint entitled "Called Comcast,"⁸ Respondent incorporates its answer in 9) above.

11) In response to the typed allegations contained in the attachment to the Formal Complaint dated Sun, 1 Jan 2006,⁹ Cavalier incorporates its answers in 2), 4), 5), 6), 7), 8), and 9) above, and denies the remaining typed allegations. With respect to the handwritten allegations in the attachment dated "January 1, 2006," Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

12) In response to the typed allegations contained in the attachment to the Formal Complaint dated December 31, 2005¹⁰, Cavalier incorporates its answers above. With respect to the remaining allegations in the attachment dated December 31, 2005, Respondent is without information sufficient to form a belief as to the truth or falsity of the allegations, and thus, leaves Complainant to her proof.

13) In response to the handwritten allegations written on the copy of the Cavalier bill dated 01/02/2006 and attached to the Formal Complaint¹¹, Cavalier admits properly billing Complainant for a non-published directory listing, admits properly billing

⁸ The attachment to the Formal Complaint entitled "Called Comcast" appears to be an incomplete, handwritten notation.

⁹ Complainant's typed attachment to the Formal Complaint dated Sun, 1 Jan 2006 is a copy of an e-mail from Complainant to residentialinfo@cavtel.com.

¹⁰ Complainant's typed attachment to the Formal Complaint dated December 31, 2005, reiterates previous allegations, but also notes that Complainant's confusion over billing extends beyond Respondent to include Comcast: "I am in receipt of a bill from Comcast prepared 12/23/05 in the amount of \$46.45. My question is, who am I to pay?"

¹¹ Complainant's handwritten allegations are written on a copy of Cavalier's 01/02/2006 statement to Complainant, and allege: "This Bill is A Joke! I did not inquire of your service until 12/8/05, but you bill me on 12/2/05. You sent a Cavalier Tech out to my home on 2/29/05 and he disrupted service as of that date. I have not been able to receive or retrieve calls. Comcast has already billed me and charged telephone services for this month. You need to check your re [illegible]. *IS THIS A JOKE?* I REFUSE TO PAY THIS BILL. CC: FCC How does this bill generate as of 12/2 when I did not contact you until 12/8/05? [referring with an arrow, to the line entry for "Directory Listing - Non Publish" for 12/02/05 - 101/01/2006] A Cavalier tech came to my home on 12/29/05. No service since!"

Complainant on a pro rata basis for services from 12/29/2006 to 01/01/2006, and denies the remaining allegations.

NEW MATTER

FIRST AFFIRMATIVE DEFENSE

14) Complaint is time-barred. Moreover, Complainant failed to provide a good reason for late filing the appeal by more than 40 days.

SECOND AFFIRMATIVE DEFENSE

15) Complainant fails to join necessary parties, Comcast and Verizon.

THIRD AFFIRMATIVE DEFENSE

16) Under Pennsylvania's "Filed Tariff" doctrine and Cavalier's PA PUC Tariff No. 1, 3.1.1A, Cavalier provides service up to, and including, the Network Interface Device ("NID"), and Complainant has not shown that service up to and including the NID was not provided.

FOURTH AFFIRMATIVE DEFENSE

17) Complainant's requests to discontinue service did not comply with 52 Pa. Code Section 64.53, which states that a customer wishing to have service discontinued shall give at least 5 days oral or written notice to the telephone company.

FIFTH AFFIRMATIVE DEFENSE

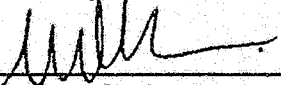
18) Under Pennsylvania Law, Cavalier may release a customer's phone number to another provider upon a request from that provider for the customer's CSR. Cavalier has no record of any request from Comcast to release Complainant's phone line other than Comcast's February 9, 2006 request for release on February 17, 2006.

SIXTH AFFIRMATIVE DEFENSE

19) Complainant fails to state a claim upon which the Commission may grant relief.

Date: November 27, 2006

Respectfully submitted,



Michael A. Gruin, Esquire
Stevens & Lee

17 N. 2nd St

16th Floor

Harrisburg, PA 17101

Tel.: (717) 255-7365

Fax: (610) 988-0852

mag@stevenslee.com

Attorney for

Cavalier Telephone Mid-Atlantic, LLC

I, Debbie Trimble, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

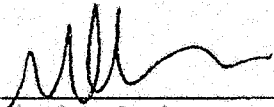
Date: 11/27/2006

Debbie Trimble

On the Formal Complaint:

Michael A. Guin,
Stevens & Lee
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Respectfully submitted,



Michael A. Guin

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CERTIFICATE OF SERVICE

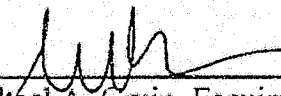
I hereby certify that on this 27th day of November, 2006 a copy of the foregoing document has been served, via U.S. mail, postage prepaid, upon the person listed below in accordance with the requirements of 52 Pa Code Sections 1.54 and 1.55 of the Commission's rules.

Mary Clark
624 Johnson Ave.
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SECRETARY'S OFFICE

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Respectfully submitted,



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Date: November 27, 2006