

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Vince Marino

v.

Verizon Pennsylvania Inc.

DOCUMENT
FOLDER

C-20055656

SECOND INTERIM ORDER
GRANTING MOTION TO DISMISS
WIRETAPPING ISSUE AND DENYING
PETITION TO TRANSFER THAT ISSUE
TO THE OFFICE OF THE ATTORNEY GENERAL

HISTORY OF THE PROCEEDING

DOCKETED

APR 7 2006

RECEIVED
2006 JAN 24 AM 9:25
P.A.P.U.C.
SECRETARY'S BUREAU

The Complainant, Vince Marino, on December 7, 2005, filed a complaint alleging the telephone service that he receives from the Respondent, Verizon Pennsylvania Inc., is inadequate and unreasonable, and as an additional matter, he claims Verizon fails to acknowledge a wiretap problem. Verizon answered the complaint and filed new matter on December 29, 2005. Verizon asserts Marino contacted its repair department 72 times to report wiretaps, static, noise or other problems between January 1, 2004 and December 29, 2005, whereupon Verizon tested its facilities each time and sent someone to his premises 28 times without discovering any illegal connections or other problems. On the same day, Verizon moved to dismiss that portion of the complaint raising an illegal wiretap issue, since issues relating to wiretapping are controlled by the Pennsylvania Wiretapping and Electronic Surveillance Control Act, 18 Pa. C.S. §§5701-5781, and lie exclusively within the jurisdiction of the courts, but not the Commission. McClellan v. Pa. P.U.C., 159 Pa. Cmwlth. 675, 634 A.2d 686 (1993).

On January 3, 2006, Marino replied to the new matter and in apparent response to the motion to dismiss, he petitioned the Commission to transfer that portion of his case dealing with illegal wiretapping to the Office of the Attorney General. Verizon answered Marino's

petition on January 18, 2006. The present Order dismisses that portion of Marino's complaint raising a wiretap issue and denies his petition to transfer that issue to the Office of the Attorney General.

DISCUSSION

The Commission's Rules of Administrative Practice and Procedure permit the filing of preliminary motions. 52 Pa. Code §§5.101-103. A preliminary motion to dismiss a complaint is analogous to a preliminary objection authorized by Rule 1028 of the Pennsylvania Rules of Civil Procedure. Equitable Small Transportation Interveners, 1994 Pa. PUC LEXIS 69, Docket No. C-00935435 (Order entered July 18, 1994). A preliminary objection seeking dismissal of a pleading will be granted only where relief is clearly warranted and free from doubt. Interstate Travelers Services, Inc. v. Pa. Dept. of Environmental Resources, 486 Pa. 536, 406 A.2d 1020 (1979); and Rivera v. Philadelphia Theological Seminary of St. Charles Borromeo, Inc., 407 Pa. Superior Ct. 157, 595 A.2d 172 (1991).

In reviewing this record, one must accept as true all well-pleaded facts in the non-moving party's pleadings, giving the non-moving party the benefit of all reasonable inferences to be drawn from the complaint. Anderson v. Colonial Country Club, 739 A.2d 1118 (Pa. Cmwlth. 1999); and Morning Call, Inc. v. Board of Directors of Southern Lehigh School District, 642 A.2d 619 (Pa. Cmwlth. 1994). The moving party may not rely on its own factual assertions, but must accept for the purpose of disposition of the motion, all well-pleaded material facts of the other party, as well as every inference fairly deducible from those facts. County of Allegheny v. Commonwealth of Pa., 507 Pa. 360, 490 A.2d 402 (1985); and Commonwealth of Pa. v. Bell Telephone Company of Pa., 551 A.2d 602 (Pa. Cmwlth. 1988). The motion will be granted only if the moving party prevails as a matter of law. Roc v. Flaherty, 527 A.2d 211 (Pa. Cmwlth. 1985). Any doubt must be resolved in favor of the non-moving party. Dept. of Auditor General, et al. v. State Employees' Retirement System, et al., 836 A.2d 1053 (Pa. Cmwlth. 2003). The Commission has adopted this standard. Montague v. Philadelphia Electric Company, Docket No. C-00850323 (Order entered November 11, 1985).

Where, however, there are no disputed questions of fact and the issue to be decided is purely one of law or policy, a case may be disposed of without resort to an evidentiary hearing. Dee-Dee Cab, Inc. v. Pa. P.U.C., 817 A.2d 593 (Pa. Cmwlth. 2003); Diamond Energy, Inc. v. Pa. P.U.C., 653 A.2d 1360 (Pa. Cmwlth. 1995); and Lehigh Valley Power Commission v. Pa. P.U.C., 563 A.2d 557 (Pa. Cmwlth. 1989). The wiretapping issue in the case *sub judice* falls within this latter category.

As a creature of legislation, the Commission possesses only the authority the State Legislature has specifically granted to it in the Public Utility Code (the "Code"), 66 Pa. C.S. §§101, *et seq.* Its jurisdiction must arise from the express language of the pertinent enabling legislation or by strong and necessary implication therefrom. Feingold v. Bell of Pa., 477 Pa. 1, 383 A.2d 1191 (1977); Allegheny County Port Authority v. Pa. P.U.C., 427 Pa. 562, 237 A.2d 602 (1967); Behrend v. Bell of Pa., 257 Pa. Superior Ct. 35, 390 A.2d 233 (1978); Pa. Department of Highways v. Pa. P.U.C., 198 Pa. Superior Ct. 87, 182 A.2d 267 (1962); City of Erie v. Pa. Electric Co., 383 A.2d 575 (Pa. Cmwlth. 1978). Nowhere does the Code grant the Commission authority to review allegations of illegal wiretaps. As Verizon correctly notes, issues relating to wiretapping are controlled by Pennsylvania's Wiretapping Act, *supra*. Wiretap issues remain exclusively within the domain of the courts. The Commission possesses no special expertise in this area. McClellan, supra. Therefore, the Commission as a matter of law may not consider Marino's allegation of illegal wiretapping.

For this reason, Verizon's motion will be granted only insofar as it seeks to dismiss that portion of Marino's complaint raising an issue of illegal wiretapping. The remainder of his complaint can easily be read as a challenge to the adequacy and reasonableness of the telephone service that Verizon furnishes him. Section 1501 of the Code, 66 Pa. C.S. §1501, clearly authorizes the Commission to review customer complaints about the adequacy and reasonableness of public utility service. Accordingly, the remaining portion of Marino's complaint excluding the wiretapping issue will proceed to a hearing as scheduled on February 14, 2006.

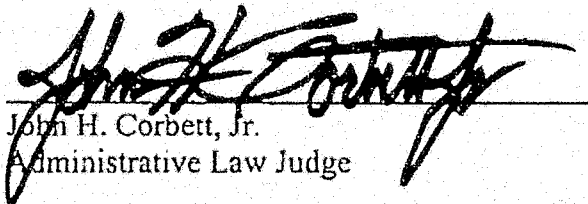
Finally, Marino's petition to transfer the issue of illegal wiretapping to the Office of the Attorney General presumes that *prima facie* evidence of an illegal wiretap exists. If the record developed after a hearing in this case demonstrates that one possibly exists, then Marino can file his own complaint with the Office of the Attorney General or an appropriate law enforcement agency. If he is convinced that an illegal wiretap now exists, Marino can even apply now to file his own criminal complaint with these agencies. The Commission has no authority to stop him. But for the Commission to refer a possible criminal matter to the Office of the Attorney General at this stage is entirely premature and impermissibly prejudices the facts. For these reasons, Marino's petition will be denied.

THEREFORE,

IT IS ORDERED:

1. That the motion of Verizon Pennsylvania Inc. is hereby granted only insofar as it seeks to dismiss that portion of the complaint raising an issue of illegal wiretapping. In all other respects, the motion is hereby denied.
2. That the hearing now scheduled for 10:00 a.m. on February 14, 2006 in the Pittsburgh offices of the Commission shall proceed on the remaining allegations of the complaint.
3. That the petition of Vince Marino to transfer the issue of illegal wiretapping in this case to the Office of the Attorney General is hereby denied.

Date: January 19, 2006


John H. Corbett, Jr.
Administrative Law Judge



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
January 24, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055656

(SEE LETTER DATED 1/9/06)

Vince Marino v. Verizon Pennsylvania Inc.

Wire Tapping

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for Tuesday, February 14, 2006, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing
Date: Tuesday, March 14, 2006
Time: 10:00 a.m.
Location: 11th floor hearing room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Presiding: Administrative Law Judge John H. Corbett, Jr.
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

DOCUMENT
FOLDER

DOCKETED
FEB 02 2006

Please mark your records accordingly.

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

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Corbett
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

Before The
Pennsylvania Public Utility Commission

Vince Marino
V.S

Verizon Pennsylvania Inc

c - 20055656

Notice to serve and Subpoena witness

To honorable Judge John H. Corbett, JR i Vince Marino submitt notice to you and defendant Verizon PA that i subpoena Ralph S. Giglio to stand as my witness and as a professional phone and wire tap specialist in my case and to provide expert testimony on the evidence i collected on this case.

Witness Ralph S. Giglio Vice President Americom a member of Pen Bel Group of companies.

Date Issued 1 - 12 - 06

Vince Marino Pro Se

Hearing Date
2-14-06

Vince Marino

Respectfully Submitted

Appendix A

RECEIVED

JAN 17 2006

Public Office of the

includif

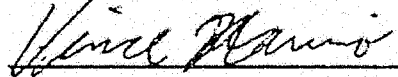
Certificate OF Service

I hereby certify that a true and correct copy was sent first class mail was sent in the manner mentioned above to the party below.

Administrative Law Judge John H. Corbett JR
1103 Pittsburgh State Office Building
300 Liberty Ave
Pgh, Pa 15222

Date 1 - 12 - 06

Vince Marino

A handwritten signature in cursive script that reads "Vince Marino". The signature is written in black ink and is positioned above a solid horizontal line.

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

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

February 3, 2006

Via FedEx Overnight Mail
Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213

RECEIVED
2006 FEB - 6 AM 9:31
PA P.U.C.
SECRETARY'S BUREAU

RE: Vince Marino v. Verizon Pennsylvania Inc.; Docket No. C-20055656;
REQUEST FOR PRODUCTION OF DOCUMENTS AND
INTERROGATORIES (SET 1)

Dear Mr. Marino:

Enclosed are questions, known as Requests for Production of Documents and Interrogatories, related to the issues raised in your Formal Complaint against Verizon Pennsylvania Inc. ("Verizon PA").

The Pennsylvania Public Utility Commission's Regulations require that you respond to the enclosed Interrogatories within 20 days, plus 3 days for mailing. I have enclosed an extra copy of the interrogatories that you may write your answers on. Please use additional paper as needed.

Your responses to the enclosed Interrogatories are due in my office on or before Monday, February 27, 2006.

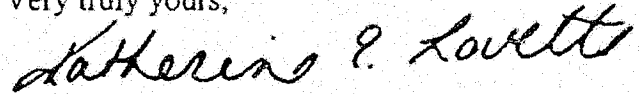
DOCUMENTS
FOLD HERE

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

Vince Marino
February 3, 2006
Page 2

Thank you for your anticipated cooperation in this matter. If you have any questions, please call me at 717-236-1300.

Very truly yours,



Katherine E. Lovette
Counsel for Verizon Pennsylvania Inc.

KEL/
Enclosures

cc: Honorable John H. Corbett, Jr. (Cover letter only)
James J. McNulty, Secretary (Cover letter only)

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 Overnight Mail:

Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213

Katherine E. Lovette

Katherine E. Lovette

DATED: February 3, 2006

ORIGINAL

Vince Marino
3324 Dawson St
Pgh, Pa 15213

Phone (412) 682 - 6733
(412) 225 - 0017

RECEIVED

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

By first class Postage
James J. McNulty, Secretary
Pennsylvania Public Utility Commission
commonwealth Keystone Building
400 North Street
P.O Box 3265
Harrisburg, Pa 17105 - 3265

BTL

Date 2 - 6 - 06

Re: Verizon Pa Inc Response to First request for production of documents and things.
by Vince Marino Pro Se Docket C - 20055656

Dear Mr McNulty :

Inclosed is filing with the commission are original and three copies of Vince Marino
Motion to Verizon Pa Inc response to 1st request of documents and things.

CC; Counsel Of Record Katherine E. Lovette
First class Postage
Honorable John H. Corbett JR
First Class Postage

Yours Truly

Vince Marino

DOCUMENT
FOLDER

54

Before The
Pennsylvania Public Utility Commission
Administrative Law Judge John H. Corbett, JR.

Vince Marino
V.S
Verizon Pa Inc

RECEIVED

Complaint

Docket . C - 20055656

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Respondent

DOCUMENT
FOLDER

Vince Marino answer to Verizon Pa Inc response to 1st request
of production of Documents and Things. Under Pa Code 5.349

Pusuant to Pa. Code 5.349 Vince Marino as prose submitted a request of document and things to Verizon Pa Inc 1 12 - 06, defendent responded as follows and the copy's i have submitted to this answer.

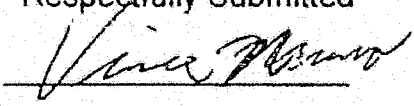
1. Vince Marino hereby submits his answer. As listed in Pa Code 63.137. service monitor ing and related matters, in all aspects of this law all records in compliance to state and federal laws shall be kept in any of the listed moitoring matters, Vince Marino reported numerous service problems and a fraud security case opened with Mr Tom Cassidy monitoring of the cable to his phone line tested and checked, also repair technicians doing service test's. It is to this chapter of code that under maintenance monitoring test list's shall be kept and turned in to the company. Security also should have done this aswell under state and federal compliance regulations.
2. Under any testing of the cable leaving 3324 Dawson St any service work performed would have kept the listed test results
 1. line test reports
 2. circuit loss , circuit noise, power line, transverse balance , line current, line voltage, line test , line impedence. These are all pertinient results of what should have been done due to the reports,if verizon states they checked clear, but do not aver any results then surely what prof can they offer.
3. In Verizon Pa Inc answer to Vince Marino Request of Production of Documents and things,Verizon Pa Inc Admits they do not produce any of these circuit test list's.
4. Verizon Pa Inc admits they do not produce any line test reports.

DOCKETED
DEC 15 2006

5. Verizon Pa admits Verizon Pa security Telecommunications Fraud investigations Department investigated Vince Marino's cable and telephone system. November - December - in 2005 and closed the case shortly after stating no tampering or fraud was present.
6. Vince Marino Admits that Mr Tom Cassidy was in charge of the case.
7. Vince Marino Admits that the service of Americom Inc Field Technician Vice President Mr Ralph Giglio came to 3324 Dawson St several times in months of October 2005 December 2005 and January 2006 performed payed out services and found out of State and Federal cable transmission violations and ineruptance of service, documented and a valid test list sent to Mr Marino,also a video inspection of the 2006 visit showing the out of range line impedence.
8. Vince Marino admits that all current data reports audio and video recordings are sent to Verizon Pa Inc Counsel for there request,of proof.
9. Vince Marino Admits that Verizon Pa Inc is out standard due to keeping test list's and records and appropriate orders to be followed by the Administrative Authority Law Judge. Ref: Under Pa Code 63.137

Wherefore, for the evidence and pertinent reasons set forth above, and in accordance with the Commissions Regulations, Vince Marino requests that Verizon Pa Inc be sanctioned under under the appropriate order that the Administrative law judge shall seek, and be ordered to present all State And Federal Pertinent Test list that should be kept under the laws of the PA Commission code 63.137 Service Monitoring and related Matters, and if not produced as stated by Verizon Pa Inc Counsel be sanctioned accordingly to the Commission laws. the answer that Verizon Pa does not produce test list's and information be denied in its entirety and that the Commission rule that Vince Marino's motion to Order Verizon Pa Inc to produce be Granted, and any appropriate violation of the company be sactioned to the law of the PUC.

Respectfully Submitted



Date 2 - 6 - 06

Vince Marino
3324 Dawson st
Pgh, Pa 15213
(412) 682 - 6733
(412) 225 - 0017

Pro se

Before The
Pennsylvania Public Utility Commission

Vince Marino
V.S
Verizon Pa Inc complaint

Docket No. C - 20055656

Respondent

Notice To Plead

To: Verizon Pa Inc
Katherine E. Lovette
Hawke Mckeon Sniscak & Kennard LLP
Harrisburg Energy center
100 North Tenth Street
PO Box 1778
Harrisburg, Pa 17105 - 1778

RECEIVED

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Pusuant to Pa Code 5.103 you are hereby notified that Vince Marino as ProSe has filed a Motion to which you may answer in writeing within ten (10) days unless otherwise provided of the PA code Title 52 of the Pennsylvania Code . Your failure to answer will allow the presiding officer to rule on the motion without a response from you, thereby requireing no other proof. All pleadings as to this motion must be filed with the secretary of the Pennsylvania Public utility Commission, with a copy served on the undersigned counsel as prose Vince Marino.

Date 2 - 6 - 06



Vince Marino
3324 Dawson St
pgh, Pa 15213

Vince Marino
3324 Dawson St
Pgh, Pa 15213

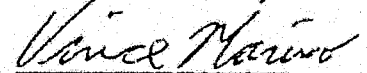
Phone (412) 682- 6733
(412) 225 - 0017

James J. McNulty
Pennsylvania Public Utility Commission
second Floor , Commonwealth Keystone Building
P.O Box 3265
Harrisburg, Pa 17105 - 3265

RE: Vince Marino V.S Verizon Pennsylvania Inc; Docket No. c -20055656
Motion Of VINCE MARINO TO ORDER TO VERIZON TO COMPLY WITH
REQUEST TO PRODUCE PERTINIENT TEST LIST AS TO COMMISSION
PA CODE 63. 137 SERVICE MONITORING AND RELATED MATTERS.
AS REQUESTED IN 1ST REQUEST TO PRODUCE.

Date 2 - 6 - 06

Yours Truly.



Vince Marino ProSe

Before The
Pennsylvania Public Utility Commission

Vince Marino
V.S

complaint

Verizon Pa Inc.

Respondent

Docket No. c - 20055656

DOCUMENT
FOLDER

DOCKETED
DEC 15 2006

Motion Of Vince Marino
To order Verizon Of Pa Inc to comply with 1st request
to produce pertinent documents and things test lists.

Vince Marino as ProSe and as his own counsel in this matter, hereby moves to order Verizon Pa Inc to produce pertinent test list and line test as to PA code 63.137. service monitoring and related matters. As to Pa code 52 the telephone company by law shall keep current records , of service evaluation, maintenance monitoring, administrative monitoring, security department monitoring especially when a fraud case is opened to a particular phone line. Under State, Federal laws. Verizon has failed to produce my test line reports as requested by leave of court. In support thereof Vince Marino avers and represents as follows:

1. On January 12, 2006 Vince Marino filed a request to produce documents and things upon Verizon Pa.
2. In the request Verizon Pa was asked produce all line test reports pertinent to Mr Marino's phone line (412) 682 - 6733
Also all of the following in those test's. 1 . circuit loss 2. circuit noise , 3. power line reports made. Last Transverse balance reports, everything pertinent involveing the service interruption at 3324 Dawson St Pgh,15213,(412) 682 - 6733
3. Verizon Pa Inc responed on Febuary 3, 2006 that the only information they produce are repair reports which they sent to Vince Marino.
4. Vince Marino submits that under the PA PUC commission code titled 52 pa code section 63.137 all the moitoring is to be some how maintained on record as test

lists. Especially the Verizon fraud Department, when a fraud case is opened appropriate records are to be kept of the phone line being investigated. as to Mr Marino's case a fraud case was opened in November 2005 and December 2005 under agent Tom Cassidy of Verizon Fraud Department and closed shortly afterwards. No test list of repair or Fraud were produced, Vince Marino asked for these pertinent lists whether in the fraud or repair some test list should have been ascertained for monitoring of the phone cable. It's the law. Verizon offered any evidence of checking out to standards, thus Verizon Pa Inc be ordered to provide all requested test lists or be sanctioned accordingly.

5. Under, section PA Code 52 63.137 service monitoring and related matters.
 1. The telephone company shall comply to State and Federal laws.
 2. Service evaluation and monitoring section
Maintenance monitoring includes test lists.
mandatory test lists.
etc.

6. Inclosing the response of Verizon Pa Inc avering that they do not produce the test lists is totally outrageous to professional standards by the Commission and Federal and also State law they have to maintain records of test list especially to the extent of Mr Marino's complaint of numerous service disconnects. The request of offering they do not produce test lists is Fraud and mistakenly untrue and shall be addressed to the Commission Law officer for determination of appropriate sanctions as to the requested information.

Inference to the above Verizon is in violation or not providing the proper evidence needed for trial with out this information no burden of proof is offered in their defense.. Verizon Pa Inc has no test lists then they are in State Federal Violation Of compliance. Appropiated sanction would be decided by the law officer.

7. Therefore, as to the response of Verizon Pa Inc to Vince Marino first request to produce documents and things Verizon be ordered to produce. as to Pa Code 63.137 service and monitoring, Vince Marino respectfully requests that Verizon Pa Inc be ordered to produce the listed line test information and the appropriate evidence there required by law to have on my service complaints. and if any violation is found by the commission be sanctioned accordingly.

Date 2 - 6 - 06

Respectfully Submitted

Vince Marino

Vince Marino
3324 Dawson St
Pgh, Pa 15213
(412) 682 - 6733
(412) 225 - 0017
Pro Se

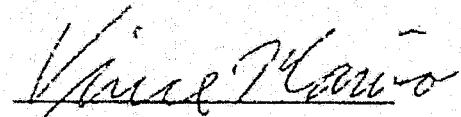
Certificate Of Service

I hereby certify that i have this day served a copy of the foregoing document upon the following named and in the manner indicated below.

Service by first class mail

James J. McNulty secretary
Pennsylvania Public Utility Commission
commonwealth Keystone Building
400 North Street - filing room
P.O Box 3265
Harrisburg, Pa 17105 - 3265

Date 2 - 6 - 06



Vince Marino

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

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

February 3, 2006

Via FedEx Overnight Mail
Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213

RECEIVED

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Vince Marino v. Verizon Pennsylvania Inc.; Docket No. C-20055656;
RESPONSES TO FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS AND INTERROGATORIES

Dear Mr. Marino:

Enclosed are Verizon Pennsylvania Inc.'s ("Verizon PA" or "Company") responses to your first Request for Production of Documents and Interrogatories' dated January 12, 2006.

The documents enclosed include all of the Company's repair reports associated with your telephone account from January of 2004 through January of 2006.

These repair reports are the only documents or reports generated when service problems, such as static or noise on the line or interruptions of service, are reported to the repair department, when a technician is dispatched, or when any tests are performed on the telephone lines or facilities. There are no other written reports containing test results beyond the enclosed repair reports.

Your request was titled "Notice to Produce" and cites to the Pennsylvania Rules of Civil Procedure; however, it is the Public Utility Commission's Regulations regarding discovery in formal complaint proceedings, not the Pennsylvania Rules of Civil Procedure, that apply in this matter. Therefore, I have treated your Notice to Produce as a Request for Production of Documents and Interrogatories under the Commission's Regulations at 52 Pa. Code §§ 5.349 and 5.341.

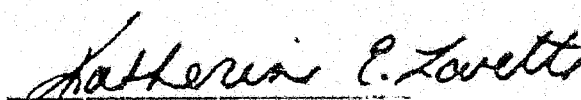
MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VINCE MARINO, :
Complainant :
v. : Docket No. C-20055656
: :
VERIZON PENNSYLVANIA INC. :
Respondent :

VERIZON PENNSYLVANIA INC.'S ANSWER TO THE FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS AND INTERROGATORIES

Respectfully submitted,



Katherine E. Lovette
Hawke McKeon Sniscak & Kennard LLP
Harrisburg Energy Center
100 North Tenth Street
PO Box 1778
Harrisburg, PA 17105-1778
717-236-1300

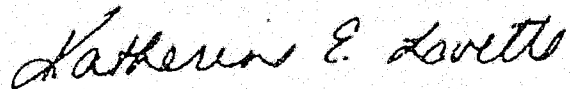
Counsel for Verizon Pennsylvania, Inc.

DATED: February 3, 2006

Vince Marino
February 3, 2006
Page 2

For security purposes, Verizon PA has removed the Company's internal, non-public contact information (internal telephone numbers, fax numbers, and e-mail addresses) from these documents.

Very truly yours,



Katherine E. Lovette
Counsel for Verizon Pennsylvania Inc.

cc: Honorable John H. Corbett, Jr. (Cover letter only)
James J. McNulty, Secretary (Cover letter only)

RESPONSE OF VERIZON PENNSYLVANIA INC. TO INTERROGATORY NO. 1 OF VINCE MARINO.

Interrogatory No. 1: You are directed to produce . . . 1. All current line test reports on record that were made on the over 58 trouble reports.

Answer: Verizon PA does not produce "line test reports" Repair reports are the only documents or reports generated when service problems, such as static or noise on the line or interruptions of service, are reported to the repair department, when a technician is dispatched, or when any tests are performed on the telephone lines or facilities. There are no other written reports containing test results beyond the enclosed repair reports. Enclosed as "Attachment A" are all of the Company's repair reports associated with your account from January of 2004 through January of 2006.

RESPONSE OF VERIZON PENNSYLVANIA INC. TO INTERROGATORY NO. 2 OF VINCE MARINO.

Interrogatory No. 2: You are directed to produce . . . 2. circuit loss, circuit noise, power line reports made. Transverse balance reports. Everything pertinent to the below address and phone # at 3324 Dawson Street involving (412) 682-6733 number having trouble. Line current, line voltage Line impedance, any other pertinent information involving the Verizon Test reports.

Answer: Verizon PA does not produce circuit loss, circuit noise, power line, transverse balance, line current, line voltage, line test or line impedance reports. Repair reports are the only documents or reports generated when service problems, such as static or noise on the line or interruptions of service, are reported to the repair department, when a technician is dispatched, or when any tests are performed on the telephone lines or facilities. There are no other written reports containing test results beyond the enclosed repair reports. Enclosed as "Attachment A" are all of the Company's repair reports associated with your account from January of 2004 through January of 2006.

The
Pennsylvania

PREVIOUS · NEXT · CHAPTER TOC · TITLE TOC · BROWSE · SEARCH · HOME

§ 63.137. Service monitoring and related matters.

This section sets forth procedures for service evaluation and monitoring; use of pen registers and trap and trace devices; and responses to government requests for assistance in conducting wiretap, pen register, trap and trace and other types of investigations.

(1) *Compliance with State and Federal laws.* The telephone company shall comply with State and Federal laws regulating the interception, disclosure or use of customer communications and the use of pen registers and trap and trace devices.

(2) *Service evaluation and monitoring.* The telephone company may evaluate and monitor those aspects of its operations, including customer communications, necessary for the provision of service to its customers. The recording of conversations is prohibited.

(i) *Service evaluation.* A telephone company may engage in the sampling of customer communications by telephone company employes or automated equipment to measure service quality. This sampling of customer communications shall be kept to the minimum needed to measure service quality. Service evaluation facilities may not have monitoring access points outside official evaluation quarters. Entry to evaluation quarters shall be strictly controlled. During periods when evaluation quarters are not in use or when otherwise considered appropriate, the quarters shall be securely locked or the equipment rendered inoperative or accessible only by authorized personnel. Access to service evaluation documents that contain individual employe-customer contact information shall be closely guarded to protect the customer's privacy.

(ii) *Maintenance monitoring.* A telephone company may engage in the monitoring of telephone company facilities by an employe entering the circuit to listen and carry out tests to determine whether noise, "cross-talk," improper amplification, reproduction or other problems may exist. This includes the mandatory routines covered by equipment test lists, tracing of circuits for corrective action and other similar activities. The monitoring may not interfere with the voice or data information being carried.

(iii) *Administrative monitoring.* A telephone company may engage in the monitoring of telephone company employe contacts with customers and with other employes which have a direct bearing on the quality of service provided to customers. The monitoring equipment shall be secure at all times and only used by authorized persons. The monitoring may be performed from a remote location. When the equipment is in a remote location and is not in use, it shall be secured or made inoperative or accessible only by authorized personnel.

(3) *Security department monitoring.* To the extent permitted by applicable State and Federal law, the security department may conduct monitoring, including recording of conversations, in conjunction with the investigation of toll fraud or other unlawful uses of

RECEIVED

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU 2/6/2006

the telephone network. The security department shall maintain complete records of monitoring performed. At a minimum, the records shall include the date and times between which the monitoring was conducted, the name, address and telephone number of the person from whose service the communication was placed and by whose service it was received, the name of the person making the communication, the duration of the communication and information derived from the monitoring. The records shall be retained for the period of time required by telephone company document retention guidelines.

(4) *Use of pen registers and trap and trace devices.*

(i) Pen register and trap and trace devices may be used by telephone company employees in accordance with applicable State and Federal law.

(ii) In each instance in which pen register or trap and trace devices are used for a purpose other than for the operation, maintenance or testing of the network, for billing purposes or for the provision of service, a record shall be made showing the dates and times between which the pen register or trap and trace device was used, the names of the persons by whom the use was authorized, directed to be performed and conducted, and the name, address and telephone number of the person whose service was subject to use of the pen register or trap and trace device. The record shall be retained for the time required by applicable telephone company document retention guidelines.

(5) *Employee authorization.* An employee may not perform service evaluation, maintenance monitoring or administrative monitoring or direct that these activities be performed unless the employee is authorized and has a need to do so as part of the employee's work duties. An employee may not use pen register or trap and trace facilities or direct that such a device or facilities be used unless the employee is authorized and has a need to do so as part of regular work duties.

(6) *Government orders.* Orders from courts and other lawful process requiring the telephone company to assist in the performance of pen register searches, trap and trace searches, wiretap searches and other types of investigations shall be handled in accordance with applicable State and Federal law. The telephone company shall maintain a record of each investigation conducted under this subsection. The record shall be retained for the time required by applicable telephone company document retention guidelines.

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

The
Pennsylvania**CODE** PREVIOUS · NEXT · CHAPTER · TITLE · BROWSE · SEARCH · HOME
TOC TOC**§ 63.13. Periodic inspections.**

A public utility shall adopt a program of periodic tests, inspections and preventive maintenance aimed at achieving continuous efficient operation of its system in a manner satisfactory to the Commission.

Authority

The provisions of this § 63.13 amended under the Public Utility Code, 66 Pa.C.S. §§ 501, 504, 1501 and 1508.

Source

The provisions of this § 63.13 adopted March 25, 1946; amended through June 30, 1969; amended October 29, 1982, effective December 18, 1982, 12 Pa.B. 4285. Immediately preceding text appears at serial page (21001).

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

RECEIVED

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

The
Pennsylvania

C O D E

PREVIOUS · NEXT · CHAPTER
TOC TITLE · BROWSE · SEARCH · HOME
TOC**§ 59.12. Interruptions of service.**

(a) *Records.* Each public utility shall keep a record which shall include data showing the time, duration and cause of each interruption of service affecting its entire system or a major division of its system.

(b) *Notification to customers.* Each customer who may be affected shall be notified prior to starting work which will result in an interruption of his service.

No part of the information on this site may be reproduced for profit or sold for profit

This material has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML, or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

The
Pennsylvania

C	O	D	E	PREVIOUS	NEXT	CHAPTER	TITLE	BROWSE	SEARCH	HOME
						TOC	TOC			

§ 63.24. Service interruptions.

(a) *System maintenance.* Each public utility shall endeavor to maintain its entire system in such condition as to make it possible to furnish continuous service, and shall take reasonable measures to prevent interruptions of service and to restore service with a minimum delay if interruptions occur.

(b) When main telephone service is interrupted for a period of at least 24 hours, the public utility, after due notice by the customer, shall apply the following schedule of allowances except in situations as provided for in paragraph (3):

(1) One-thirtieth of the tariff monthly rate of services and facilities furnished by the public utility rendered inoperative, useless or impaired for each of the first three full 24-hour periods during which the interruption continues after notice by the customer to the public utility conditioned that the out-of-service extends beyond a minimum of 24 hours.

(2) Two-thirtieths of each full 24-hour period beyond the first three 24-hour periods. However, in no instance may the allowance for the out-of-service period exceed the total charges in a billing period for the service and facilities furnished by the public utility rendered useless or impaired.

(3) When service is interrupted for a period of at least 24 hours due to such factors as storms, fires, floods or other conditions beyond the control of the public utility, an allowance of 1/30 of the tariff monthly rate for all services and facilities furnished by the public utility rendered inoperative or substantially impaired to the extent of being useless shall apply for each full 24 hours during which the interruption continues after notice by the customer to the public utility.

(4) The allowances set forth in paragraphs (1)—(3) may not be applicable where service is interrupted by the negligence or willful act of the customer to service or where the public utility, pursuant to the terms of the contract for service, suspends or terminates service for nonpayment of charges or for unlawful or improper use of the facilities or service or for any other reason provided for in the filed and effective tariff.

Authority

The provisions of this § 63.24 issued under the Public Utility Code, 66 Pa.C.S. §§ 501, 504, 1501 and 1508.

Source

The provisions of this § 63.24 adopted March 25, 1946; amended through June 30, 1969;

RECEIVED

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU
2/6/2006

amended through October 29, 1982, effective December 18, 1982, 12 Pa.B. 4285.
Immediately preceding text appears at serial pages (21004) to (21005).

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

The
Pennsylvania**CODE** PREVIOUS · NEXT · CHAPTER · TITLE · BROWSE · SEARCH · HOME
TOC TOC**§ 63.63. Transmission requirements and standards.**

(a) A public utility shall furnish, operate and maintain facilities adequate to provide acceptable transmission of communications. Transmission shall be at adequate volume levels and free of excessive distortion, noise and cross talk.

(b) The transmission standards shall be based upon the use of telephone sets connected to a 48-Volt dial central office, measured at a frequency of 1000 Hertz (Hz).

(c) A telephone line terminating at a customer's premises shall have a loop resistance not exceeding the operating design of the associated central office equipment.

(d) Overall transmission loss on a customer loop shall not exceed 15 decibels.

Authority

The provisions of this § 63.63 issued under the Public Utility Code, 66 Pa.C.S. § § 501, 504, 1501, 1504 and 2901.

Source

The provisions of this § 63.63 adopted January 29, 1988, effective July 30, 1988, 18 Pa.B. 466.

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

RECEIVED

FEB 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ORIGINAL

Vince Marino
3324 Dawson st
Pgh, Pa 15213

Phone (412) 225 - 0017
(412) 682 - 6733

RECEIVED
2006 FEB -9 AM 9:03
SECRETARY'S BUREAU

Ref: Case C - 20055656 Vince Marino V.S Verizon Pa Inc

Cover Letter Of Request to produce documents and or things.

DOCUMENT
FOLDER

19

Before The
Pennsylvania Public Utility Commission

RECEIVED
2005 FEB -9 AM 9:03
SECRETARY'S BUREAU

Vince Marino
V.S

Verizon Pennsylvania Inc

C - 20055656

Notice To Produce

To Defendant Verizon INC Pennsylvania
Counsel on record Katherine E. Lovette, ESQ

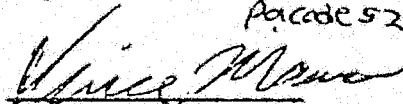
You are directed to produce the following 1. All current line test reports on record that where made on the over 58 trouble reports. 2. circuit loss, circuit noise, power line reports made. Transverse balance reports. Everything pertinent to the below adress and phone # at 3324 Dawson St involveing (412) 682 - 6733 number haveing trouble. Line current, Line voltage Line impendance, any other pertinent information involveing the Verizon Test reports. Name of equipment used, to make these test's. At my office 3324 Dawson St Pgh, Pa 15213 on Febuary 2, 2006 at 9:00 am.

If you fail to produce the documents or things required by this notice to produce, you may be subject to sanctions authorized by rule ~~207.5~~ of the Pennsylvania Rules of ~~Civil~~ Procedure.

51349

Parade 52

Date 1 - 12 - 06



Vince Marino Pro Se
3324 Dawson St
Pgh , Pa 15213
(412) 682 - 6733
(412) 225 - 0017

REC'D :

2006 FEB -9 AM 9:03

Before The
Pennsylvania Public Utility Commission

SECRETARY'S BUREAU

Vince Marino
V.S

Verizon Pennsylvania Inc

C - 20055656

Notice To Produce

To defendant Verizon INC Pennsylvania
Counsel on record Katherine E. Lovette, ESQ

You are directed to produce the following.

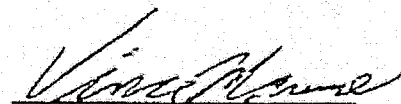
Evidence that the telephone wire from plaintiffs home at 3324 Dawson St is continued to Verizon Inc central office in the way its to be run under Fcc standards and Bell core standards.

Also the name of the supervisor that came under Verizons counsel request and the Verizon Technician that made the test with the supervisor.

If you fail to produce the documents or things required by this notice to produce, you may be subject to sanctions authorized by rule ~~2345~~ of the Pennsylvania Rules of Pa code 52 Civil Procedure.

51349

Date 1 - 27 - 06



Vince Marino
3324 Dawson St
Pgh, Pa 15213
(412) 225 - 0017
(412) 682 - 6733

RECEIVED

2006 FEB -9 AM 9:03

Before The
Pennsylvania Public Utility Commission
SECRETARY'S BUREAU

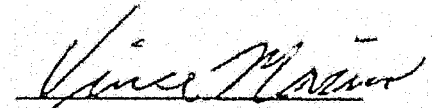
Vince Marino
V.S
Verizon Pa Inc

Case C - 20055656

Request For Admission's Pa code 5.350

To defendent Verizon Inc Pennsylvania and Counsel on record
Katherine E. Lovette, ESQ

Date 2 - 4 - 06



Vince Marino
3324 Dawson St
Pgh, Pa 15213
(412) 682 - 6733
(412) 225 - 0017

Please Attach these copy's of request's to the case listed thank you.

Respectfully Submitted

Vince Flacco



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
1103 PITTSBURGH STATE OFFICE BUILDING
300 LIBERTY AVENUE
PITTSBURGH, PENNSYLVANIA 15222-1210

Tel: 412-565-3550
Fax: 412-565-5692

IN REPLY PLEASE
REFER TO OUR FILE

February 10, 2006

Mr. Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213

Re: Vince Marino v. Verizon Pennsylvania Inc.
Docket No. C-20055656

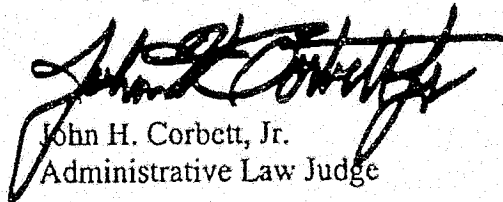
Dear Mr. Marino:

Pursuant to our telephone conversation this afternoon, kindly be advised that you are no longer permitted to call this office, unless you have a question concerning the scheduling of your hearing in this case now set for 10:00 a.m. on March 14, 2006. I regret taking this action, but your incessant calling to obtain information about procedural and substantive matters relating to your case has become a severe burden upon our administrative staff. As I advised you during our conversation, you may contact the Lawyer Referral Service for the Allegheny County Bar Association, 920 City-County Building, Pittsburgh, PA 15219, telephone number 412-261-5555 to obtain answers about the procedure or substantive law relating to your case.

In all other instances, you must put all of your motions, petitions, requests, *etc.* in writing addressed to me and serve a copy on the Secretary for the Commission, James J. McNulty, as well as counsel for Verizon. I shall then rule thereon in accordance with the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code §§1.1, *et seq.* You should also be aware that absent exigent circumstances, any request for a continuance of the scheduled hearing must be submitted in writing no later than five days before the hearing and served upon opposing counsel. 52 Pa. Code §1.15(b).

I thank you for your anticipated cooperation in this matter.

Sincerely,



John H. Corbett, Jr.
Administrative Law Judge

pc: Veronica A. Smith, Chief Administrative Law Judge
Eric A. Rohrbaugh, Esq., Legal Supervisor
Katherine E. Lovette, Esq.
File Room

SECRETARY'S BUREAU

2006 FEB 10 7:19:52

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

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

February 17, 2005

BY FEDERAL EXPRESS

Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213

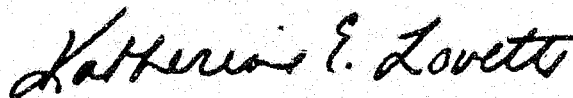
RE: Vince Marino v. Verizon Pennsylvania Inc.; Docket No. C-20055656;
RESPONSES TO SECOND REQUEST FOR PRODUCTION OF
DOCUMENTS AND INTERROGATORIES

Dear Mr. Marino:

Enclosed are Verizon Pennsylvania Inc.'s ("Verizon PA" or "Company") Responses to your second Request for Production of Documents and Interrogatories dated January 27, 2006.

Very truly yours,

DOCUMENT
FOLDER



Katherine E. Lovette
Counsel for Verizon Pennsylvania Inc.

cc: Honorable John H. Corbett, Jr. (Cover letter only)
James J. McNulty, Secretary (Cover letter only)

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

SECRET

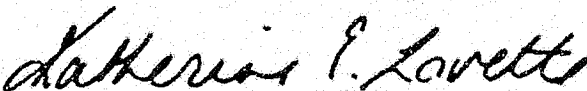
2005 FEB 17

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the persons named and by First Class mail:

Service by Federal Express

Vince Marino
3324 Dawson Street
Pittsburgh, PA 15231


Katherine E. Lovette
Katherine E. Lovette

Dated: February 17, 2006

Hawke

ORIGINAL

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

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

February 17, 2006

BY HAND DELIVERY

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

DOCUMENT
FOLDER

RE: Vince Marino v. Verizon Pennsylvania Inc.; Docket No. C-20055656, ANSWER TO MOTION TO COMPEL

Dear Mr. McNulty:

Enclosed for filing with the Commission are an original and three (3) copies of Verizon Pennsylvania Inc.'s Answer to Vince Marino's Motion to Compel filed in the above-captioned matter. 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,

Katherine E. Lovette
Counsel for Verizon Pennsylvania Inc.

Enclosures

cc: Honorable John H. Corbett, Jr. (via FedEx overnight mail)
Vince Marino (via FedEx overnight mail)

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

89

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ADMINISTRATIVE LAW JUDGE JOHN H. CORBETT, JR.

VINCE MARINO,

Complainant

v.

Docket No. C-20055656

VERIZON PENNSYLVANIA INC.,

Respondent

DOCUMENT
FOLDER

DOCKETED
FEB 24 2006

**ANSWER OF VERIZON PENNSYLVANIA INC.
TO "MOTION OF VINCE MARINO TO ORDER VERIZON OF PA INC TO COMPLY
WITH 1ST REQUEST TO PRODUCE PERTINIENT DOCUMENTS
AND THINGS TEST LISTS"**

Pursuant to 52 Pa. Code § 5.61, Verizon Pennsylvania Inc. ("Verizon PA" or "Company"), by its attorneys in this proceeding, Hawke McKeon Sniscak & Kennard LLP, hereby submits its Answer to Vince Marino's ("Complainant") "Motion Of Vince Marino To order Verizon Of Pa Inc to comply with 1st request to produce pertinent documents and things test lists" ("Motion to Compel"). In support thereof, Verizon PA responds and avers as follows:

1. ADMITTED.
2. ADMITTED.
3. ADMITTED.
4. Verizon PA ADMITS the Company's Security Telecommunication Fraud Investigations Department investigated the allegations made by Complainant in November and December of 2005, that Tom Cassidy of that department was involved in the investigation, and

that the investigation has been closed. Verizon PA DENIES the Company did not provide information that complied with Complainant's discovery requests. Rather, Verizon PA AVERS it Company provided Complainant with all of the Company's repair reports associated with problems Complainant reported to the Company's repair department, dispatches to Complainant's residence, and facilities' tests and inspections. The remaining statements made in Paragraph 4 are conclusions of law or represent Complainant's beliefs or opinions, to which no response is required. To the extent a response to these statements is deemed to be necessary, these statements are DENIED.

5. The statements made in Paragraph 5 are conclusions of law or represent Complainant's opinion's or beliefs, to which no response is required. To the extent a response is deemed to be necessary, the statements are DENIED.

6 The statements made in Paragraph 6 are conclusions of law or represent Complainant's opinions or beliefs, to which no response is required. To the extent a response is deemed to be necessary, these statements are DENIED.

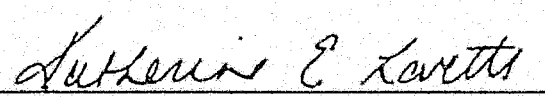
7. The statements made in Paragraph 7 are a request for relief or represent Complainant's opinions, beliefs, or conclusions to which no response is required. To the extent a response is deemed to be necessary, these statements are DENIED.

8. By way of further answer, Verizon PA AVERS Complainant bases his motion and request for relief on his assertion that 52 Pa. Code § 63.137 requires Verizon PA to produce a document he refers to as a "test list" that Complainant apparently believes is a report detailing results of tests performed on the Company's facilities. Verizon PA AVERS Section 63.137 does not require Verizon PA to produce such a report or documentation; rather, this section governs the circumstances in which a telephone service provider may evaluate or monitor its facilities

and the standards for doing so. Verizon PA AVERS the repair reports that were provided to Complainant in response to his discovery requests are the only records required to be maintained by the Company with regard to Complainant's service issues. Verizon PA further AVERS that the repair reports provided to Complainant contained all of the Company's documented information regarding the service problems reported by Complainant, the dispatches of repair technicians to Complainant's residence, and tests of facilities providing service to Complainant. Verizon PA AVERS these responses were fully responsive to Complainant's discovery requests.

WHEREFORE, for all of the reasons set forth above, and in accordance with the Commission's Regulations, Verizon Pennsylvania Inc. requests that Vince Marino's Motion to Compel be denied in its entirety.

Respectfully submitted,



Katherine E. Lovette
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
PO Box 1778
Harrisburg, PA 17105-1778
(717) 236-1300

DATED: February 17, 2006

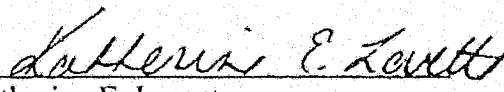
Counsel for Verizon Pennsylvania Inc.

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 FedEx overnight mail:

Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213


Katherine E. Lovette

DATE: February 17, 2006

ORIGINAL

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VINCE MARINO,

Complainant

v.

VERIZON PENNSYLVANIA INC.,

Respondent

Docket No. C-20055656

NOTICE TO PLEAD

TO: Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213

SECRETARY'S OFFICE

Pursuant to 52 Pa. Code § 5.103, you are hereby notified that Verizon Pennsylvania Inc. ("Verizon PA") has filed a Motion to which you may answer in writing within ten (10) days unless otherwise provided in Chapter 5 of Title 52 of the Pennsylvania Code. Your failure to answer will allow the presiding officer to rule on the Motion without a response from you, thereby requiring no other proof. All pleadings such as a reply to this Motion must be filed with the Secretary of the Pennsylvania Public Utility Commission, with copies served on Administrative Law Judge John H. Corbett, Jr., and the undersigned counsel for Verizon PA.

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

Counsel for Verizon Pennsylvania Inc.

DATED: February 17, 2006

ORIGINAL

SECRETARY'S OFFICE

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VINCE MARINO,

Complainant

v.

Docket No. C-20055656

VERIZON PENNSYLVANIA INC.,

Respondent

DOCKETED
FEB 24 2006

**DOCUMENT
FOLDER**

**MOTION OF VERIZON PENNSYLVANIA INC.
TO STRIKE THE "ANSWER TO VERIZON PA INC RESPONSE TO 1ST REQUEST OF
PRODUCTION OF DOCUMENTS AND THINGS" FILED BY VINCE MARINO**

Verizon Pennsylvania Inc. ("Verizon PA"), by its attorneys in this matter, Hawke McKeon Sniscak & Kennard LLP and pursuant to 52 Pa. Code §5.103, hereby moves to strike the "answer to Verizon Pa Inc response to 1st request of production of Documents and Things" filed by Vince Marino ("Complainant"), because such a pleading is not permitted to be filed pursuant to the Commission's regulations. In support thereof, Verizon PA avers and represents as follows:

1. On or about January 12, 2006, Complainant served a document titled "Notice to Produce" upon Verizon PA. Verizon PA treated this document as a Request for Production of Documents and Interrogatories pursuant to the Commission's regulations regarding discovery at 52 Pa. Code § 5.321, *et seq.*

2. On or about February 3, 2006, Verizon PA sent to Complainant its responses and answers to Complainant's January 12, 2006 discovery request ("Company's Discovery Responses").

3. On or about February 6, 2006, Complainant filed with the Commission two documents related to the Company's Discovery Responses. The document at issue in this motion appears to be an answer to the Company's Discovery Responses and is titled "Vince Marino answer to Verizon Pa Inc response to 1st request of production of Documents and Things. Under Pa Code 5.349." This Motion seeks to strike the pleading described above on the basis that it is an improper pleading not permitted by the Commission's procedural regulations.

4. The Commission's regulations do not allow parties to file an answer or reply to a response to a discovery request. The Commission's regulations governing the filing of answers are found at 52 Pa. Code §§ 5.61 -- 5.66. The only filings a party may answer are: complaints, petitions, motions, and amended pleadings.

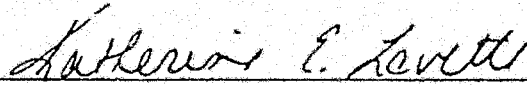
5. Complainant's "answer" that is the subject of this motion is simply an inappropriate pleading that should be stricken on that basis alone.

6. The answer appears to be intended to express Complainant's disagreement with or challenge to the answers included in Verizon's Discovery Responses. Pursuant to the Commission's regulations at 52 Pa. Code §§ 5.342 and 5.349, the only pleading in which Complainant can raise such challenges to the Company's discovery responses is a motion to compel. To the extent the "answer" is a misguided attempt at filing a motion to compel additional discovery responses by Verizon PA, Complainant *has* filed a Motion to Compel that appears to raise the same issues as his "answer." Therefore, if the answer is not stricken on procedural grounds as

an inappropriate vehicle to raise objections to Verizon's Discovery Responses, it should be stricken as redundant and repetitive in light of the simultaneously-filed Motion to Compel.

WHEREFORE, for the reasons set forth above, and in accordance with the Commission's Regulations, Verizon Pennsylvania Inc. respectfully requests that the "answer to Verizon Pa Inc response to 1st request of production of Documents and Things" filed by Vince Marino be stricken from the record as improvidently filed.

Respectfully submitted,



Katherine E. Lovette
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
PO Box 1778
Harrisburg, PA 17105-1778
(717) 236-1300

Counsel for Verizon Pennsylvania Inc.

DATED: February 17, 2006

CERTIFICATE OF SERVICE

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

Service by FedEx overnight mail:

Vince Marino
3324 Dawson Street
Pittsburgh, PA 15213

SECRETARY'S OFFICE

Katherine E. Lovette
Katherine E. Lovette

DATED: February 17, 2006

ORIGINAL

RECEIVED

2006 FEB 27 AM 10:33

PA P.U.C.
SECRETARY'S BUREAU

ORIGINAL

Vince Marino
3324 Dawson St
Pgh, Pa 15213

(412) 682 - 6733
(412) 225 - 0017

First Class Postage
James McNulty Secretary
Pennsylvania Public Utility Commission
Second Floor, Commonwealth Keystone Building
PO Box 3265
Harrisburg, Pa 17105 - 3265

C-20055656

Answer To Verizon Pa Inc Motion To strike Out Vince Marinos Motion to
Order Verizon Pa Inc To Produce Test Lists.

DOCUMENT
FOLDER

Respectfully Submitted

Vince Marino

Ref: Honorable Judge H. Corbett
Katherine E. Lovette

63

RECEIVED

2006 FEB 27 AM 10:33

PA P.U.C.
SECRETARY'S BUREAU

Vince Marino
3324 Dawson St
Pgh, Pa 15213

Phone (412) 682 - 6733
(412) 225 - 0017

Vince Marinos answer to motion to strike out motion to compel.
Docket C- 20055656

Dear Mr McNulty:

Vince Marinos answer to Verizon Pa Inc To Strike Out Motion Of Vince Marino
Ordering Verizon Pa Inc To Produce Test lists.

The motion i filed to order Verizon Pa Inc to compel was mis titled i would appreciate that this motion be considered due to the State And Federal Laws covering the testing and security fraud departments of Verizon Pa Inc Pa and any other phone carrier.

Ref: Motion to order Verizon Pa Inc to produce test lists, was incorrectly titled may you please excuse this filing and continue it as a motion to compel.

Ref: Honorable John H. Corbett JR first
class mail

Katherine E. Lovette
First Class Mail

Respectfully Submitted

Vince Marino

Before The
Pennsylvania Public Utility Commission

Vince Marino

V.S

Verizon Pa Inc

Docket No . C - 20055656

**DOCUMENT
FOLDER**

DOCKETED
JAN 12 2007

Answer to Verizon Pa Inc Motion to Strike Vince Marinos Motion
to order to produce test lists.

1. On Feburary 6, 2006 Vince Marino filed a motion titled motion to order to Verizon Pa Inc to produce test lists, Vince Marino is admitting that it was mistakeingly titled do to confusion at time and it should have been titled motion to compel.

As you know to the request to Verizon Pa requesting them to produce document and things, asking them to give me copys of test lists ,they answered that they do not produce test lists it is incorrect they avered they only generate repair orders the repair orders do not have any evidence or credible data to say Verizon Pa Inc found nothing at the inspections and trouble repair orders. as to the fraud security case opened in November and December 2005 under Mr Tom Cassidy Verizon Pa Inc is under State and Federal law to maintain test lists. Verizon Pa only at this time since complaint was filed formaly has avered hersey evidence they don not have any record of compliance test lists which is mandated by State and Federal Law compliance.

Under 63.137 Service monitoring this does not apply just to company monitoring for thtre purposes it applys to any issue under the title and including fraud cases. It is stated in the title under SECURITY DEPARTMENT MONITORING.

STATES TO THE EXSTENT PERMITTED BY APPLICABLE STATE AND FEDERAL LAW, THE SECURITY DEPARTMENT MAY CONDUCT MONITORING, INCLUDING RECORDING OF CONVERSATIONS, IN CONJUNCTION WITH THE (KEY WORDS) WITH THE INVESTAGATION OF TOLL FRAUD OR OTHER UNLAWFUL USES OF

TELEPHONE NETWORK. The security department shall maintain complete records of monitoring performed. At a minimum, the records shall include the date and times between which the monitoring was conducted, the name, address and telephone number of the person from whose service the communication was placed and by whose service it was received, the name of the person making the communication, the duration of the communication and information derived from the monitoring. The records shall be retained for the period of time required by the telephone company document retention guide lines.

Vince Marino reported mis use of his telephone service numbers of times a hired firm in the field of telephone service was hired and on several tests scheduled found in proper line impedance and out of bell core standards voltages. A Verizon Fraud security case was opened and closed, stating no types of fraud or illegal use of telephone theft or fraud was present.

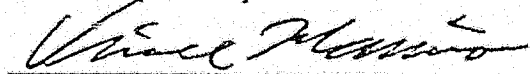
In the request submitted to Verizon Pa Inc they answered with incorrect information. a fraud report to the telephone company is part of a evaluation and monitoring of not only the company's facilities but the facilities to the customers home and anything past the face box at the home is customers property.

It is to my understanding Verizon Pa does not comply to the law if you report a trouble order or open a fraud case to the TELEPHONE PROVIDER ESPECIALLY FRAUD MONITORING IS PERFORMED IF YOU TRACE A NUMBER FOR LIFE THREATENING CALLS RECORDS ARE KEPT SO HOW CAN VERIZON PA AVER THAT THIS LAW IS MISREPRESENTED IT IS TOTALLY OUT RAGEOUS DEFENDANT DOES NOT COMPLY TO STATE ABND FEDERAL LAW OF THIS TITLE 63.137 PA Code 52

2. Verizon Pa Inc submitted repair service reports to Vince Marino they do not provide the test results requested as to the impedance of the phone line as Vince Marino submitted and provided copys of the telephone technician hired to check his phone line.

Answer to Motion To Compel be granted in its entirety.

Respectfully Submitted



Date Feburary 20,2006

Vince Marino
3324 Dawson St
Pgh, Pa 15213
(412) 682 - 6733

Pro Se

Certificate Of Service

I hereby certify that i have this day served a copy of the foregoing documents upon all partys on record and indicated in the manner below.

James McNulty Secretary
Pennsylvania Public Utility Commission
Second Floor Commonwealth Keystone Building
PO Box 3265
Harrisburg, Pa 17105 - 3265

Respectfully Submitted

Vince Harris

RECEIVED

2006 FEB 27 AM 10:33

PA. P.U.S.
SECRETARY'S BUREAU

Vince Marino
3324 Dawson St
Pgh, Pa 15213

(412) 682 - 6733
(412) 225 - 0017

First Class Postage
Katherine E. Lovette
100 North Tenth Street
Harrisburg Pa, 17101

Date February 20, 2006

Docket C- 20055656

Ref: Request for admissions served to Verizon Pa Inc.

Att. Ms Lovette i'm writeing to you on the response you forwarded to me on request for admissions served to you on behalf of me regarding your client, forgive me on the motion i served not titled motion to compel in regards to this statement and the closeing of are exstended time to trial shortening i chose to submit this letter to, you and the courts on the pertinient information i requested and the important data i requested.

Sincerely yours

Vince Marino

To all parties involved in this case i submitt this letter of pertinent matter to your attention. As to the short order of time and the unnecessary continued argueing back and forth of response and added paper work, ~~use~~ ^{use} not to move for the sufficiency on the responses on my request for admissions served upon Verizon Pa Inc. I chose to write a answer to this and make it formal on the response and leave the sufficiency of my admission request to the decision of the Honorable John H. Corbett JR. It is to this date that beside me making two mistakes which i sincerely appologize for and sent in with this a not to bring my original motion of compelling Verizon Pa Inc to produce test lists as to State and Federal Standards, i can not ascertain evidence as i requested and that excuse me Ms Lovette i do not mean this in a rude manner sent me that the repair reports are all that Verizon Pa Inc produces in my first request to produce, and then in my request for admissions you state that all pertinent data i seek are in the first attachment of exhibit 1.

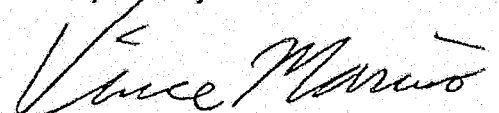
There is no line tests reports or any of the transmission tests that i had done in any of your clients reports they are dispatched service orders with out any verification of my phone line clearing check okay, besides your client stateing it on the report. It is to my reading your response that the term test lists are not used, it is false it is listed in section of Puc code 63.137 and is a very familiar term among the telephone industry . You are aware that your client has avered me no sound proof besides repair reports that have dates and scheduled turn ins to your client of trouble and transmission problems and that i have a agrement i pay for every month for service and that i can not get your client to provide me with any Federal and State complied test lists that should be kept and repeat kept on record, this is out rageous. I have hired a seasoned telephone technician involved 30 years and better in the land line industry and has worked for Bell Telephone prior to operating under his own company in this case and can not undestand how you do not produce test lists, when its the law what evidence do you and Verizon have besides hersey.

I sent this as to the length of time and fileing of motions and responses so you will not have to reply and add it on record that i have fulfilled my evidence collecting on your client all your responses and report copy's are with out merit.

THE INFORMATION YOU SENT IS WITHOUT MERIT TO THE REQUESTED EVIDENCE IT HAS NO BEARING AS TO VERIZON FINDING NO TRANSMISSION PROBLEMS, IT JUST REPORT AND DATES NO TEST LISTS AS TO STANDARDS OF MY PHONE LINE BEING COMPLIABLE TO STANDARDS.

In closing i inclosed to you and the court a copy of the required transmission standards under 63.63 Puc code i have provided my reports on several seperate ocasions you have nothing to offer as evidence i regretfully advise i will use this against you in court at trial.

Respectfully Submitted



The
Pennsylvania**CODE** PREVIOUS · NEXT · CHAPTER · TITLE · BROWSE · SEARCH · HOME
TOC TOC**§ 63.63. Transmission requirements and standards.**

(a) A public utility shall furnish, operate and maintain facilities adequate to provide acceptable transmission of communications. Transmission shall be at adequate volume levels and free of excessive distortion, noise and cross talk.

(b) The transmission standards shall be based upon the use of telephone sets connected to a 48-Volt dial central office, measured at a frequency of 1000 Hertz (Hz).

(c) A telephone line terminating at a customer's premises shall have a loop resistance not exceeding the operating design of the associated central office equipment.

(d) Overall transmission loss on a customer loop shall not exceed 15 decibels.

Authority

The provisions of this § 63.63 issued under the Public Utility Code, 66 Pa.C.S. §§ 501, 504, 1501, 1504 and 2901.

Source

The provisions of this § 63.63 adopted January 29, 1988, effective July 30, 1988, 18 Pa.B. 466.

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML, or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 10, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055656

(SEE LETTER DATED 1/24/06)

Vince Marino v. Verizon Pennsylvania Inc.

Wire Tapping

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for Tuesday, March 14, 2006, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing
Date: Tuesday, April 11, 2006
Time: 10:00 a.m.
Location: 11th floor hearing room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Presiding: Administrative Law Judge John H. Corbett, Jr.
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

DOCUMENT
FOLDER

DOCKETED
MAR 17 2006

Please mark your records accordingly.

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

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Corbett
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

OALJ Hearing Report

Please check those blocks which apply

Docket No:	C-20055656		YES	NO
Case Name:	Vince Marino v. Verizon Pennsylvania Inc.	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Pittsburgh	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	March 14, 2006	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	John H. Corbett, Jr.	Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	Hearing Concluded:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Further Hearing Needed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		1
		RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	<i>Hearing postponed at request of ALJ.</i>	

DOCUMENT
FOLDER

MAR 24 2006

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

Name and Telephone Number	Address	Who are you representing?						
Vince Marino	3324 Dawson Street	Complainant <i>pro se</i>						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">City</td> <td style="font-size: 8pt;">State</td> <td style="font-size: 8pt;">Zip</td> </tr> <tr> <td>Pittsburgh</td> <td>PA</td> <td>15213</td> </tr> </table>	City	State	Zip	Pittsburgh	PA	15213	
City	State	Zip						
Pittsburgh	PA	15213						
Telephone: 412-682-6733	E-mail Address:	Fax Number:						
Katherine E Lovette, Esq.	100 North Tenth Street, P.O. Box 1778	Respondent						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">City</td> <td style="font-size: 8pt;">State</td> <td style="font-size: 8pt;">Zip</td> </tr> <tr> <td>Harrisburg</td> <td>PA</td> <td>17105-1778</td> </tr> </table>	City	State	Zip	Harrisburg	PA	17105-1778	
City	State	Zip						
Harrisburg	PA	17105-1778						
Telephone: 717-236-1300	E-mail Address:	Fax Number:						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">City</td> <td style="font-size: 8pt;">State</td> <td style="font-size: 8pt;">Zip</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	City	State	Zip				
City	State	Zip						
Telephone:	E-mail Address:	Fax Number:						

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

3/15/06 elp

Reporter's Signature

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



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 20, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055656

(SEE LETTER DATED 3/10/06)

Vince Marino v. Verizon Pennsylvania Inc.

Service Dispute

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case, previously scheduled for Tuesday, April 11, 2006, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing

Date: Wednesday, May 3, 2006

Time: 10:00 a.m.

Location: 11th floor hearing room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

Presiding: Administrative Law Judge John H. Corbett, Jr.
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

DOCUMENTED
APR 10 2006

**DOCUMENT
FOLDER**

Please mark your records accordingly.

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

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Corbett
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 23, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055656

(SEE LETTER DATED 3/20/06)

Vince Marino v. Verizon Pennsylvania Inc.

Service Dispute

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for Wednesday, May 3, 2006, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing
Date: Wednesday, May 17, 2006
Time: 10:00 a.m.
Location: 11th floor hearing room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Presiding: Administrative Law Judge John H. Corbett, Jr.
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

DOCUMENT
FOLDER

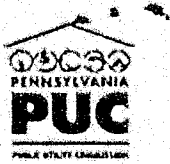
DOCKETED
APR 13 2006

Please mark your records accordingly.

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

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Corbett
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
May 15, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055656

(SEE LETTER DATED 3/23/06)

Vince Marino v. Verizon Pennsylvania Inc.

Service Dispute

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for Wednesday, May 17, 2006, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing
Date: Tuesday, June 13, 2006
Time: 10:00 a.m.
Location: 11th floor hearing room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Presiding: Administrative Law Judge John H. Corbett, Jr.
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

DOCUMENT
FILED

DOCKETED
MAY 17 2006

RECEIVED
2006 MAY 16 AM 10:28
SECRETARY'S BUREAU

Please mark your records accordingly.

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

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Corbett
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

OALJ Hearing Report

Please check Those Blocks Which Apply

Docket No:	C-20055656		YES	NO
Case Name:	Vince Marino	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	v.	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Verizon Pennsylvania Inc.	Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date:	June 13, 2006	Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:	John H. Corbett, Jr.	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Estimated Add'l Days:		
		RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		DATE:	7-13-06	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:		

RECEIVED

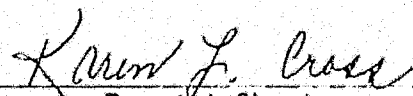
JUN 14 2006

YCC. SECTION

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

Name and Telephone Number	Address	Who are you representing?						
Vince Marino	3324 Dawson Street	Complainant <i>pro se</i>						
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: 8px;">City</td> <td style="text-align: center; font-size: 8px;">State</td> <td style="text-align: center; font-size: 8px;">Zip</td> </tr> <tr> <td>Pittsburgh</td> <td>PA</td> <td>15213</td> </tr> </table>		City	State	Zip	Pittsburgh	PA	15213
City	State	Zip						
Pittsburgh	PA	15213						
Telephone: 412-682-6733	E-mail Address:	Fax Number:						
Katherine E. Lovette, Esq.	100 North Tenth Street, P.O. Box 1778	Respondent						
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: 8px;">City</td> <td style="text-align: center; font-size: 8px;">State</td> <td style="text-align: center; font-size: 8px;">Zip</td> </tr> <tr> <td>Harrisburg</td> <td>PA</td> <td>17105-1778</td> </tr> </table>	City	State	Zip	Harrisburg	PA	17105-1778	
City	State	Zip						
Harrisburg	PA	17105-1778						
Telephone: 717-236-1300	E-mail Address:	Fax Number:						
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: 8px;">City</td> <td style="text-align: center; font-size: 8px;">State</td> <td style="text-align: center; font-size: 8px;">Zip</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	City	State	Zip				
City	State	Zip						
Telephone:	E-mail Address:	Fax Number:						

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


 Reporter's Signature

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