

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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2005 JAN 21 11:05

SECRETARY'S BUREAU

Jean Reese

v.

Verizon North, Inc.

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:
:

C-20043520

INTERIM ORDER

Before
Ember S. Jandebour
Administrative Law Judge

DOCUMENT
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HISTORY OF THE PROCEEDINGS

This Interim Order grants the unopposed Motion to Join made by Verizon North, Inc. to join Ironton Telephone Company in the above captioned matter.

On August 12, 2004, Jean Reese (Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Verizon North, Inc. (Respondent). In the Complaint, the Complainant alleged that the Respondent was charging toll rates for calls made closer to Complainant's home than for areas farther away. The Complainant asked that the Commission have Respondent extend the local calling area.

On August 25, 2004, the Respondent filed its Answer to the Complaint. On January 11, 2005, the Respondent filed a Motion to Join Ironton Telephone Company ("Ironton") because Ironton is the telephone company servicing the area that would be involved if an extension were granted. Ironton, through its consultant ICORE, filed a letter response on January 18, 2005 indicating they did not oppose the Motion to Join.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Ironton Telephone Company, c/o ICORE, Gary M. Zingaretti, 326 S. 2d St., Emmaus, PA 18049, telephone Number 610-928-3944, facsimile number 610-928-5036, be added as a party in the above-captioned case.

2. That the Pennsylvania Public Utility Commission's Secretary's Bureau serve a copy of the Complaint filed by Jean Reese, and the Answer filed by Verizon North, Inc. in the above-captioned case upon Ironton Telephone Company at the address provided above and with instructions as to filing a response.

3. That Ironton Telephone Company, be added to the service list in the above-captioned case.

Date: January 19, 2005

Ember S. Jandebaur
Administrative Law Judge

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2005 JAN 21 AM 9:07
Gary M. Zingaretti
Senior Vice President

SECRETARY'S BUREAU



Consulting
Network Services
Competitive Activities
Regulatory Assistance

ORIGINAL

January 17, 2005

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street - Filing Room (2nd Floor)
Harrisburg, PA 17105-3265

RE: Jean Reese v. Verizon North Inc.; Docket No. C-20043520
Reply of Ironton Telephone Company to the MOTION TO JOIN

Dear Mr. McNulty,

Ironton Telephone Company, through its consultant, ICORE, Inc., hereby advises the Pennsylvania Public Utility Commission that it does not object to the Motion of Verizon North Inc. to join Ironton as an indispensable party in the above captioned proceeding. Ironton does not object to the facts set forth in the Motion.

If you have any questions with regard to this filing, please direct them to me. Thank you for your attention to this matter.

Sincerely,

Gary M. Zingaretti
Consultant to Ironton Telephone Company

DOCKETED
FEB 18 2005

DOCUMENT
FOLDER

cc: Honorable Ember S. Jandebour
Janet L. Miller, Counsel for Verizon North Inc.
Timothy Hausman, Ironton Telephone Company
Jean Reese

71

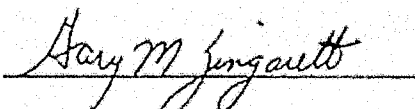
CERTIFICATE OF SERVICE

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

Service by First Class Mail:

Jean Reese
6938 Lentz Road
New Tripoli, PA 18066

Janet L. Miller
Counsel for Verizon North, Inc.
Hawke McKeon Sniscak & Kennard
100 North Tenth Street
Harrisburg PA 17101



Gary M. Zingaretti

DATED: January 17, 2005

RECEIVED
JAN 21 2005
SEC -

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

SUITE 500
212 LOCUST STREET
P. O. BOX 9500
HARRISBURG, PA 17108-9500

D. MARK THOMAS
Direct Dial: (717) 255-7619
E-Mail: dmthomas@ttanlaw.com

www.ttanlaw.com

FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

January 25, 2004

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

Re: Jean Reese v. Verizon North Inc.
Docket No. C-20043520

Dear Sir:

Enclosed please find my Notice of Appearance on behalf of Ironton Telephone Company in the above matter.

Copies have been served as set forth in the attached Certificate of Service.

Should you have any questions, please advise.

**DOCUMENT
FOLDER**

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



D. Mark Thomas

RECEIVED
2005 JAN 25 PH 3:12
SECRETARY'S BUREAU

Enclosures

cc: Certificate of Service (w/enclosure)
William D. George (w/enclosure)

3

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S BUREAU

2005 JAN 25 PM 3:12

RECEIVED

Jean Reese,

Complainant

v.

Docket No. C-20043520

Verizon North Inc.,

Respondent

NOTICE OF APPEARANCE

Pursuant to 52 Pa. Code §1.24, please enter my appearance on behalf of Ironton Telephone Company, in the above-captioned matter.

I am authorized to accept service on behalf of said participant in this matter.

On the basis of this notice, I request a copy of each document hereafter issued by the Commission in this matter.

DOCUMENT
FOLDER

D. Mark Thomas, Esquire
Attorney ID No. 15611
dmthomas@ttanlaw.com

DOCKETED
FEB 10 2005

Michael L. Swindler, Esquire
Attorney ID No. 43319
mswindler@ttanlaw.com

Thomas, Thomas, Armstrong & Niesen
212 Locust Street, Suite 500
Harrisburg, PA 17101
(717) 255-7600

Dated: January 25, 2005

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Jean Reese, :
Complainant :
v. : Docket No. C-20043520
Verizon North Inc., :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of February 2003, served a copy of the foregoing letter upon the persons listed below in accordance with the requirements of 52 Pa. Code §1.54:

First Class Mail, Postage Prepaid

Honorable Ember S. Jandebaur
Pennsylvania Public Utility Commission
Scranton District Office
317 State Office Building
100 Lackawanna Avenue
Scranton, PA 18503

Janet L. Miller, Esquire
Hawke McKeon Sniscak & Kennard
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105
(Counsel for Verizon North Inc.)

Jean Reese
6938 Lentz Road
New Tripoli, PA 18066



D. Mark Thomas

Dated: January 25, 2005

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2005 JAN 25 PM 3:12
SECRETARY'S BUREAU
P.U.C.

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 11, 2005
ORIGINAL
RECEIVED
2005 FEB 11 PM 4:02
SECRETARY'S BUREAU

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street - Filing Room (2nd Floor)
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Jean Reese v. Verizon North Inc.: Docket No. C-20043520; **MOTION FOR ISSUANCE OF A PROTECTIVE ORDER**

Dear Mr. McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of Verizon North Inc.'s Motion for Issuance of a Protective Order in the above captioned matter. Copies of this document have been served in accordance with the attached Certificate of Service.

If you have any questions with regard to this filing, please direct them to me. Thank you for your attention to this matter.

Very truly yours,

Janet L. Miller
Counsel for Verizon North Inc.

JLM/kmg
Enclosures

cc: Honorable Ember S. Jandebour (original)
D. Mark Thomas, Esquire
Jean Reese

KJR

**DOCUMENT
FOLDER**

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

JEAN REESE,

Complainant

v.

VERIZON NORTH INC.,

Respondent

Docket No. C-20043520

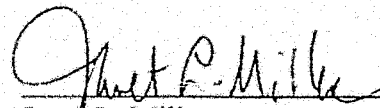
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2005 FEB 11 PH 4:02
SECRETARY'S BUREAU

NOTICE TO PLEAD

TO: Jean Reese
6938 Lentz Road
New Tripoli, PA 18066

D. Mark Thomas, Esquire
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
PO Box 9500
Harrisburg, PA 17108-9500

Pursuant to 52 Pa. Code §5.103(c), you are permitted to file a written response to the enclosed Motion. If you do not file a written response within ten (10) days from service of this notice, the facts set forth in the Motion will be deemed to be admitted and Administrative Law Judge Ember S. Jandebaur may rule on this Motion without further input. All pleadings, such as a Reply to the enclosed Motion, must be filed with the Secretary of the Public Utility Commission, with a copy served on Judge Jandebaur and a copy served on the other parties to this proceeding.



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

Dated. February 11, 2005

Counsel for Verizon North Inc.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
ADMINISTRATIVE LAW JUDGE EMBER S. JANDEBEUR

JEAN REESE,

Complainant

v.

VERIZON NORTH INC.,

Respondent

Docket No. C-20043520

SECRETARY'S BUREAU

2005 FEB 11 PM 4:02

RECEIVED

MOTION OF VERIZON NORTH INC.
FOR ISSUANCE OF A PROTECTIVE ORDER

1. On August 12, 2004, Jean Reese ("Complainant") filed a Formal Complaint against Verizon North Inc. ("Verizon North" or "Company") with the Pennsylvania Public Utility Commission ("Commission") in which she requested that Verizon North be directed to provide Extended Area Service ("EAS") or toll-free calling from the Company's New Tripoli exchange to the Ironton exchange served by Ironton Telephone Company. Ironton Telephone Company has been joined as an indispensable party to this proceeding. Verizon North, Complainant and Ironton Telephone Company are sometimes referred to herein as a "Party" or the "Parties."

2. In order to present its testimony and to submit other forms of written and/or oral advocacy in this proceeding, it will be necessary for Verizon North to provide certain information that it considers to be proprietary in nature ("Protected Information"). This Protected Information includes, among other things, (a) the number of access lines and customers in Verizon North's New Tripoli exchange; (b) toll traffic statistics for calling from the New Tripoli

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MAY 13 2005

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exchange to the Ironton exchange; and (c) the estimated costs to be incurred by Verizon North in order to provide the relief sought in this proceeding.

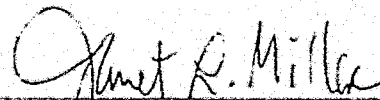
3. Verizon North submits that the Protected Information should be treated as "proprietary and confidential." This treatment is justified because the information would be of substantial value to a competitor of the Company because it would allow those competitors to know the extent of the Company's current coverage in a particular area and/or to target specific exchanges for competitive development. For this reason, disclosure of the Protected Information would cause the Company unfair economic or competitive damage and disadvantage. 52 Pa. Code §5.423. Furthermore, limitations on the disclosure of the Protected Information to the Parties in this proceeding (and any attorney or consultant hired by a Party for purposes of this proceeding) will not prejudice the rights of any Party, nor will such limitation frustrate the prompt, orderly and fair resolution of this matter.

4. The Commission's Regulation at 52 Pa. Code §5.362(a)(7) provides that a presiding officer may issue an order that protects or limits the disclosure of information that is "a trade secret or other confidential research, development or commercial information." Verizon North considers the Protected Information to be confidential commercial information in that release of the information to the Company's competitors would be economically damaging to the Company and would provide those competitors with an unfair advantage in the marketplace. In addition, the Commission's Regulation at 52 Pa. Code §63.72 specifically provides that traffic usage studies "will be treated as proprietary and shall be filed under protective seal." The Commission has upheld this proprietary treatment in prior cases. The reasons previously expressed by the Commission for the confidential treatment of access line and toll usage information apply to the Protected Information and the Company submits proprietary treatment of this information is even more compelling given the current competitive telecommunications market in Pennsylvania.

5. The Protective Order Verizon North is requesting Your Honor to issue will protect the confidential nature of the Protected Information that must be provided in this proceeding, except for purposes of this litigation.

WHEREFORE, Verizon North Inc. respectfully requests that Your Honor issue the attached Protective Order that (a) prohibits disclosure of the Protected Information described in Paragraph 2, above, to any person not a Party to, or not hired by a Party to, this proceeding; and (b) restricts the availability of the Protected Information in any testimony, written advocacy, Initial Decision or final Opinion and Order issued in this proceeding via the use of a seal and exclusion from the Commission's public folders.

Respectfully submitted,



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

Counsel for Verizon North Inc.

DATED: February 11, 2005

statistics for calling from the New Tripoli exchange to the Ironton exchange; and (c) the estimated costs to be incurred by Verizon North in order to provide the relief sought in this proceeding.

Verizon North has requested that the Protected Information be treated as "proprietary and confidential." I concur that such treatment is justified because the Protected Information would be of substantial value to a competitor of Verizon North and because disclosure of this information could cause the Company unfair economic or competitive damage. 52 Pa. Code §5.423. Furthermore, the requested limitations on the disclosure of the Protected Information will not frustrate the prompt, orderly and fair resolution of this proceeding.

Accordingly, IT IS ORDERED:

1. The Parties may not disclose to any other person, except to an attorney or consultant hired by that Party for purposes of this proceeding, information that relates to (a) the number of access lines and customers in Verizon North's New Tripoli exchange; (b) toll traffic statistics for calling from the New Tripoli exchange to the Ironton exchange; and (c) the estimated costs to be incurred by Verizon North in order to provide the relief sought in this proceeding.

2. The Protected Information may be used by the Parties only for the purpose of preparing for or presenting testimony at the evidentiary hearing to be held in this matter or for the purpose of preparing and presenting a brief, reply brief, exceptions or replies to exceptions in this proceeding.

3. The Parties, and any attorney or consultant retained by a Party, shall execute a letter confirming their understanding of the proprietary nature of the Protected Information and the restrictions on the use of such information. A copy of such a letter is attached to this Protective Order and is incorporated herein.

4. The Protected Information shall be sealed. Accordingly, should any portion of the Protected Information be made a part of the evidentiary record of this proceeding, such information shall be maintained by the Secretary's Bureau of the Commission in a "Report Folder" and not in the "Testimony Folder" for this proceeding.

5. To the extent that any of the Protected Information is used by the Parties, the presiding Administrative Law Judge, or the Commission in any transcript, written advocacy, Initial Decision, or final Opinion and Order, the legend "CONTAINS CONFIDENTIAL AND PROPRIETARY INFORMATION" shall appear on the cover page of any transcript, written advocacy, and on the first page of any Initial Decision or final Opinion and Order.

6. Any transcript, written advocacy, Initial Decision, or final Opinion and Order on which the legend "CONTAINS CONFIDENTIAL AND PROPRIETARY INFORMATION" appears, also shall be sealed and shall be treated by the Secretary's Bureau as part of the "Report Folder" of this proceeding.

7. A copy of this Protective Order shall be served upon the Parties and upon the Secretary's Bureau.

Ember S. Jandebour
Administrative Law Judge

DATED: February ____, 2005

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEAN REESE,

Complainant

v.

VERIZON NORTH INC.,

Respondent

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Docket No. C-20043520

AGREEMENT TO COMPLY WITH
PROTECTIVE ORDER

TO WHOM IT MAY CONCERN:

I, _____, hereby agree to observe and adhere to the terms and conditions set forth in the Protective Order of Administrative Law Judge Ember S. Jandebeur issued in the above-captioned proceeding on February __, 2005.

CERTIFICATE OF SERVICE

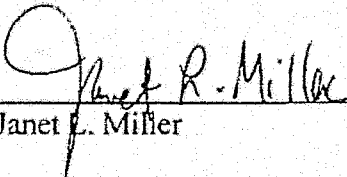
I hereby certify that I have this day served a true and correct copy of the foregoing document upon the persons and in the manner indicated below.

Service by First Class Mail:

Jean Reese
6938 Lentz Road
New Tripoli, PA 18066

D. Mark Thomas, Esquire
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
PO Box 9500
Harrisburg, PA 17108-9500

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2005 FEB 11 PM 4:02
SECRETARY'S BUREAU



Janet L. Miller

DATED: February 11, 2005

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

SUITE 500
212 LOCUST STREET
P O BOX 9500
HARRISBURG, PA 17108-0500

ORIGINAL

MICHAEL L. SWINDLER

Direct Dial: (717) 255-7609
E-Mail: mswindler@ttanlaw.com

www.ttanlaw.com

FIRM (717) 255-7600

FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

February 21, 2005

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

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OCT 07 2005

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FEB 23 2005
SECRETARY'S OFFICE

Re: Jean Reese v. Verizon North Inc.
Docket No. C-20043520

DOCUMENT
FOLDER

Dear Secretary McNulty:

Please be advised that Ironton Telephone Company does not oppose the Motion for Issuance fo a Protective Order of Verizon North Inc. filed in the above-docketed matter.

Should you have any questions, do not hesitate to contact me.

Sincerely,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Michael L. Swinder

MLS/dlp

cc: Administrative Law Judge Ember S. Jandebeur (via U.S. Mail and Facsimile)
Janet L. Miller, Esquire
Jean Reese

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

SUITE 500
212 LOCUST STREET
P. O. BOX 9500
HARRISBURG, PA 17108-9500

MICHAEL L. SWINDLER
Direct Dial. (717) 255-7609
E-Mail. mswindler@ttanlaw.com

www.ttanlaw.com
FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

February 24, 2005

VIA ELECTRONIC MAIL

The Honorable Ember S. Jandebeur
Administrative Law Judge
317 State Office Building
100 Lackawanna Avenue
Scranton, PA 18503

**DOCUMENT
FOLDER**

RECEIVED
2005 FEB 24, PM 3:38
SECRETARY'S BUREAU

Re: Jean Reese v. Verizon North Inc.
Docket No. C-20043520

Dear Judge Jandebeur:

In anticipation of the hearing to be held on Tuesday, March 1, 2005, enclosed please find a copy of the pre-filed written Direct Testimony of Ironton Telephone Company witness William D. George, II in the above-docketed matter, identified as Ironton Statement No. 1. The appropriate number of copies and Ironton Exhibit Nos. 1 through 3 will be distributed at the time of the hearing.

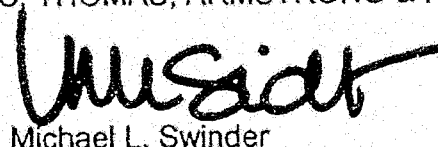
Copies of this pre-filed testimony have been served in accordance with the attached Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Michael L. Swinder

Enclosure

cc James J. McNulty (w/Certificate of Service only)
Certificate of Service
William D. George, II
Tim Hausman

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKETED
AUG 19 2005

Jean Reese, :
Complainant :
v. :
Verizon North Inc., :
Respondent :

Docket No. C-20043520

SECRETARY'S BUREAU

7995 FEB 24 PM 3:39

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CERTIFICATE OF SERVICE

I hereby certify that I have this 24th day of February 2005, served a copy of the foregoing document upon the persons listed below:

Federal Express Mail

Jean Reese
6938 Lentz Road
New Tripoli, PA 18066

Via Email

Janet L. Miller, Esquire
Hawke McKeon Sniscak & Kennard
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105
(Counsel for Verizon North Inc.)

**DOCUMENT
FOLDER**



Michael L. Swinder

Dated: February 24, 2005