

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 11/18/04
8. DOCKET NO: C-20044001	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: DONOVAN, MICHELLE & JOHN "ET AL"

RESPONDENT/APPLICANT: VERIZON NORTH INCORPORATED

COMP/APP COUNTY: ERIE UTILITY CODE: 311350

ALLEGATION OR SUBJECT

COMPLAINANT STATES THEIR COMPLAINT IS LOSS OF PHONE SERVICE ON A REGULAR BASIS. THEY WANT THE PUC TO MAKE VERIZON STOP BAND-AIDING THE PROBLEMS & FIX IT PROPERLY SO THEY CAN RECEIVE THE SERVICE THEY PAY FOR EVERY MONTH.

DOCUMENT
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DOCKETED
DEC 09 2004

ORIGINAL

Pennsylvania Public Utility Commission

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SECRETARY'S BUREAU

Formal Complaint Form

Please Print. C-20044001

1. Your name, mailing address, telephone number and utility account number:

Name Michelle or John Donovan "ET AL"

Street/P.O.Box 2201 ELK CREEK Rd Apt # -

City Waterford State PA Zip 16441

County Erie

Area Code/Home Phone 814-796-3150 Area Code/Work Phone 814-866-0360

Utility Account Number 8147963150 555 734

If the above mailing address differs from the address where the utility service is provided, list this information below.

Name

Street/P.O. Box

City State Zip

County

Verizon North, Inc

2. Name of utility company your complaint concerns:

3. Type of Utility (circle one):

GAS WATER MOTOR CARRIER

STEAM HEAT ELECTRIC SEWER

TELEPHONE (LOCAL OR LONG DISTANCE)

4. What is your complaint? (Use additional paper if you need more space and provide copies of any relevant documentation you believe will support your complaint).

Loss of Phone Service on a regular basis
Monthly on every other here are just a few dates just 2004
5-8/5-10 6-5/6-7 7/17-7/20 7/30-8/2 9-9 10-27/10-28 11-3 Above

5. What do you want the Public Utility Commission to do about your complaint? (Use additional paper if you need more space).
MAKE Verizon Stop bandaiding The Problems & Fix it properly so we can receive the service we pay for every month

6. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Michelle D. [Signature] 11-7-04
Signature Date

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

Lawyer's Name _____
Street _____
City _____ State _____ Zip _____
Area Code/Phone Number _____

8. Mail to:

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

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

4 Continued

The dates on the paper for question 4 are just a few from this year when we all got tired of this and started keeping track. This has been an on going problem and seems to be getting worse instead of better. Verizon has told us a number of excuses, such as storms (when there were none). By some of the repair people we have been told bad cables, boxes in need of replacement the one on our property has a bag over it and wires sticking out and weeds growing in it. The repair people say they cannot fix it with out authorization. Even if these are not the exact problems they sure can't be helping the matter. As you will see by the number of signatures we are not only talking about one or two households that are affected by this, (and there are more we did not get to). A few people on the list have numbers from you the PUC for calling in before also. We lost money for newspaper ads for items for sale and had no phone for people to get through, also résumé's out when I was out of work, how many times would you try to reach an applicant before you moved on to the next candidate. There is a business that is affected and a physician who has to be on call.

5 Continued

We pay for this service monthly but can't seem to receive it uninterrupted. Therefore we would like Verizon to be held responsible for fixing the problems not jut repairing them for temporary fixes. The few cents you can get for credit for lost time (only if you call in) does not make up for the inconvenience and (lost money) we are all caused. Everyone should also be compensated for this in a better manner as well as the problem fixed so it does not happen any more.

John Anderson 2832 Dunn Valley Rd.

Walter Smith 7315 ~~STANTON~~ TILE FLD RD. *Walter Smith*

Janet Hoes 2727 W. Dunn Valley Rd. *Janet Hoes*

Ray W. Hoes 2727 W. Dunn Valley Rd. *Ray W. Hoes*

Gene C. Meyer 2707 Dunn Valley Rd. *Gene C. Meyer*

Emlyn Meyer 2707 Dunn Valley Rd. *Emlyn Meyer*

Marlene Meyer 2707 Dunn Valley Rd. *Marlene Meyer*

Gene Hantz 2707 Dunn Valley Rd. *Gene Hantz*

2435 Dunn Valley Rd

~~Walter B~~

Robert Brooks 9599 Hamot Rd

Beth Smith 9570 Hamot Rd

Robert Brooks
Beth Smith

Pete Washington 9551 Hamot Rd.

Lennie Hoes 9521 Hamot Rd

Pete Washington
Lennie Hoes

Robert J. Kranz 9450 Hamot Rd

Gene Hantz 9530 Hamot Rd

Robert J. Kranz
Gene Hantz

Chris Hilbert 9705 Hamot Rd

Chris Hilbert

Morm Tallmadge 9773 Hamot Rd

Morm Tallmadge

6
Gladys Fuller 2361 W Elk Creek Rd. Waterford, Pa. 16441
Linda A. Eckard 9461 Hamst. Rd. Waterford PA 16441
Norma Boyer 2551 Hamst. Rd. Waterford, Pa 16441
Linda Harley 9831 Hamst Road Waterford PA 16441
Jill Wagner 2155 ELK CREEK RD. WATERFORD PA 16441

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

DATE SERVED: DECEMBER 10, 2004

C-20044001

VERIZON NORTH INC
C/O VERIZON PA INC
ATTN JULIA A CONOVER ESQ
VICE PRESIDENT AND GENERAL COUNSEL
1717 ARCH ST FLOOR 32-N
PHILADELPHIA PA 19103

DOCUMENT
FOLDED

Dear Sir/Madam:

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

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

CUSTOMER OF A UTILITY

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

COMPANY/UTILITY

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

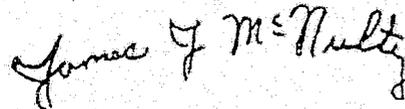
2004

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

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

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

Very truly yours,



James J. McNulty
Secretary

JH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: DECEMBER 10, 2004

DOCUMENT
FOI DEE

MICHELLE & JOHN DONOVAN
"ET AL"

Complainant

VS.

Complaint Docket
No. C-20044001

VERIZON NORTH, INC.
Respondent

DOCKETED
DEC 09 2004

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: VERIZON NORTH, INC.

TAKE NOTICE:

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

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

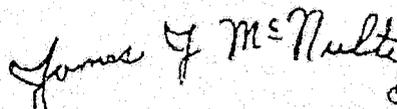
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

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

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

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



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

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

January 3, 2005

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

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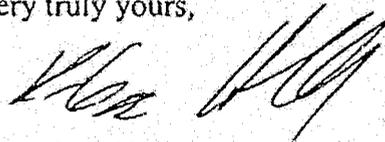
RE: Michelle & John Donovan v. Verizon North; Docket No. C-20044001
ANSWER OF VERIZON NORTH INC.

Dear Mr. McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of Verizon North Inc.'s ("Verizon North") Answer in the above-captioned proceeding. A copy of this document has been served upon Complainant 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,



Rikardo J. Hull
Counsel for Verizon North Inc.

**DOCUMENT
FOLDER**

RIK/tap
Enclosures

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

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ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MICHELLE & JOHN DONOVAN,

Complainant

v.

VERIZON NORTH INC.,

Respondent

Docket No. C-20044001

RECEIVED
MAY 17 2004
PENNSYLVANIA PUBLIC UTILITY COMMISSION

**ANSWER OF VERIZON NORTH INC.
TO THE FORMAL COMPLAINT FILED BY
MICHELLE & JOHN DONOVAN**

Verizon North Inc. ("Verizon North" or "Company"), by and through its attorneys in this proceeding, Hawke McKeon Sniscak & Kennard LLP, hereby submits its Answer to the Formal Complaint filed by Michelle & John Donovan ("Complainants"). In support thereof, Verizon North responds and avers as follows:

1. ADMITTED.
2. ADMITTED.
3. ADMITTED.
4. DENIED.¹ Verizon North is without sufficient knowledge or information to

respond to Complainants' statements regarding the dates they allege they were out of service.

By way of further answer, Verizon North AVERS that the Company does not have any trouble

¹ While Verizon North notes the presence of additional signature attached to Complainants' Complaint, it is only addressing the claims raised by Complainants as the additional signatories are not parties to this matter and Complainants, neither of whom are licensed to practice law in Pennsylvania, can not represent other individuals before the Commission.

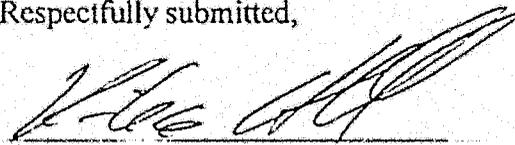
reports on record for these dates for Complainants' telephone account. By way of further answer, Verizon North AVERS the Company's records contain five trouble reports for Complainants' telephone account. Verizon PA AVERS the dates of the trouble reports are July 15, 2003; May 15, 2004; July 20, 2004; August 4, 2004; and August 9, 2004. Verizon PA AVERS technicians were dispatched on each of the trouble reports and that each of the trouble reports were closed out as being fixed.

The remaining statements set forth in Paragraph 4 of the Formal Complaint are hearsay, represent Complainants' opinions, or are requests for relief, to which no responses are required. To the extent responses are required, these statements are DENIED.

5. The statements set forth in Paragraph 5 of the Formal Complaint are requests for relief or represent Complainants' opinions, to which no responses are required. To the extent responses are deemed to be necessary, these statements are DENIED.

WHEREFORE, for all of the reasons set forth in this Answer, and in accordance with the Commission's Regulations, Verizon North Inc. requests that the Formal Complaint filed at Docket No. C-20044001 be dismissed or denied in its entirety.

Respectfully submitted,



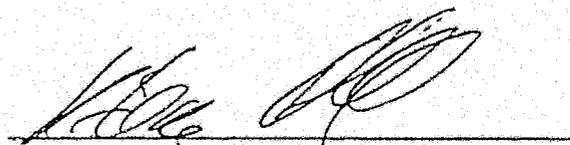
Rikardo J. Hull
Hawke McKeon Sniscak & Kennard LLP
Harrisburg Energy Center
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105
717-236-1300

Counsel for Verizon North Inc.

DATED: January 3, 2005

AFFIDAVIT

I, Rikardo J. Hull, certify that I am counsel for Verizon North Inc. and that, in this capacity, I am authorized to and do make this Affidavit for them, that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief, and that I expect Verizon North Inc. to be able to prove the same at any hearing hereof. I understand that false statements made therein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authorities.



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

Counsel for Verizon North Inc.

Dated: January 3, 2005

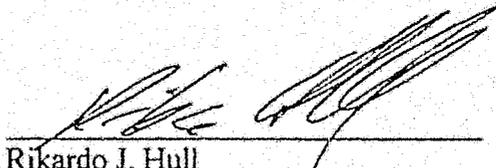
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JAN 13 2005
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CERTIFICATE OF SERVICE

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

Service by First Class Mail:

Michelle & John Donovan
2201 Elk Creek Road
Waterford, PA 16441



Rikardo J. Hull

DATED: January 3, 2005

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