

1. REPORT DATE: 00/00/00 :  
 2. BUREAU: ALJ :  
 3. SECTION(S): : 4. PUBLIC MEETING DATE:  
 5. APPROVED BY: : 00/00/00  
 DIRECTOR: :  
 SUPERVISOR: :  
 6. PERSON IN CHARGE: : 7. DATE FILED: 02/14/01  
 8. DOCKET NO: C-00014886 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: LESKO, LINDA

RESPONDENT/APPLICANT: VERIZON NORTH INCORPORATED

COMP/APP COUNTY: CAMBRIA

UTILITY CODE: 311350

ALLEGATION OR SUBJECT

COMPLAINANT STATES COMPLAINT IS THAT SHE HAS NEVER RECEIVED THE QUESTIONNAIRE TO INDICATE IF VINCO 322 - EXCHANGE USES OFTEN & WOULD WANT 472 EXCHANGE TOLL FREE ON THEIR TELEPHONE EXCHANGE. SHE IS ASKING THE PUC FOR ASSISTANCE FOR VINCO, PA 322- TO BE GIVEN 472 - EXCHANGE ON A TOLL FREE BASIS.

DOCUMENT  
FOLDER

**DOCKETED**  
FEB 14 2001

C - 00014886  
311350

Formal Complaint Form  
Pennsylvania Public Utility Commission

ORIGINAL

Please Print: (you may also type your answers directly onto the form as it appears on your screen)

1. Your name, mailing address and telephone number:

Name Linda Lesko  
Street/P.O.Box 460 Leidy Lane Apt # —  
City Johnstown State Pa. Zip 15909  
County Cambria Area Code/Home Phone 814-322-4588  
Area Code/Work Phone —

2. Name of company your complaint concerns: Verizon North

3. What is your <sup>request</sup> complaint? (Use additional paper if need more space).

The address is Johnstown, Pa. 15909, but the location is Vinco, Pa., 8 mi. from Ebensburg, Pa. 15931, which is 472-exchange. & is Ebensburg school district. We have never received the questionnaire to indicate if Vinco

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

322-exchange uses often & would want 472-exchange toll free on their telephone exchange. Therefore, I am asking your assistance for Vinco, Pa. 322- to be given 472-exchange on a toll free basis. Thank you & I look

5. You must sign and date your complaint below forward to positive results. Feel

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

Linda Lesko  
Signature

10/12/00  
Date  
12/12/01

Continued on next page

RECEIVED

FEB 14 2001

PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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

DATE SERVED: FEBRUARY 15, 2001

C-00014886

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

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by LINDA LESKO. 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.

DOCUMENT  
FOLDER

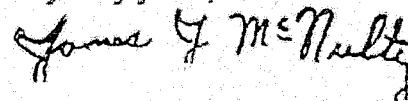
FEBRUARY 15, 2001

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

DOCUMENT  
FOLDER

DATE SERVED: FEBRUARY 15, 2001

LINDA LESKO  
Complainant

VS.

VERIZON NORTH, INC.  
Respondent

Complaint Docket  
No: C-00014886

DOCKETED  
FEB 14 2001

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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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,

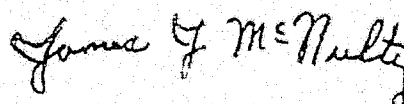
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120**, an answer (original and two copies), in writing, under oath, which, as required 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

THE LAW FIRM OF

MALATESTA HAWKE & McKEON LLP

JOSEPH J. MALATESTA, JR.  
WILLIAM T. HAWKE  
KEVIN J. McKEON  
LOUISE A. KNIGHT  
THOMAS J. SNISCAK  
NORMAN JAMES KENNARD  
LILLIAN SMITH HARRIS  
SCOTT T. WYLAND

HARRISBURG ENERGY CENTER  
100 NORTH TENTH STREET  
HARRISBURG, PENNSYLVANIA 17101  
(717) 236-1300  
FAX (717) 236-4841

CRAIG R. BURGRAFF  
JANET L. MILLER  
SUSAN J. SMITH  
TODD S. STEWART  
WILLIAM E. LEHMAN  
STEVEN K. HAAS  
DAVID P. ZAMBITO

ORIGINAL

<http://www.mhm-law.com>

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

DOCUMENT  
FOLDER

March 7, 2001

SECRETARY'S BUREAU  
MARCH 7 PM 4:20

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

Re: Linda Lesko v. Verizon North Inc.; Docket No. C-00014886; ANSWER TO FORMAL COMPLAINT

Dear Mr. McNulty:

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

Janet L. Miller  
Counsel for Verizon North Inc.

JLM/kmg  
Enclosures  
cc: Linda Lesko

**ORIGINAL**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LINDA LESKO,

Complainant

v.

VERIZON NORTH INC.,

Respondent

Docket No. C-00014886

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ANSWER OF  
VERIZON NORTH INC.  
TO THE FORMAL COMPLAINT FILED BY  
LINDA LESKO

---

SECRETARY'S BUREAU

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Verizon North Inc. ("Verizon North" or "Company"), by its attorneys in this proceeding, Malatesta Hawke & McKeon LLP, hereby submits its Answer to the Formal Complaint filed by Linda Lesko ("Complainant"). In support thereof, Verizon North Inc. submits the following:

**DOCKETED**

MAR 09 2001

1. ADMITTED.
2. ADMITTED. The correct corporate name of the Respondent in this matter is Verizon North Inc.
3. Verizon North is without sufficient information or knowledge to respond to Complainant's statements that her residence at 460 Leidy Lane, Johnstown, PA actually is located in Vinco, PA, which is eight miles from Ebensburg, PA, or that her children attend school in the Ebensburg School District. These statements are therefore DENIED and, to the extent these

statements are determined to be relevant and material to this proceeding, strict proof thereof is demanded prior to hearing.

Verizon North AVERS that Complainant lives within its Johnstown telephone exchange (NXXs 814-242, 244, 248,418, 659, 241, 243, 270, 341, 341, 291, 626, 537, 254, 255, 262, 266, 269, 288, 322, 532, 533, 534, 535, 536, 539, 319, 421) and that this exchange has a local calling area that includes the exchanges of Beaverdale (NXX 814-487), Davidsville (NXX 814-479), Johnstown, Nanty Glo (NXX 814-749), Seward (NXX 814-446), South Fork (NXX 814-495) and Windber (NXX 814-467). Verizon North AVERS that the local calling area of the Johnstown exchange is sufficient to allow customers to access business, medical and other social services needed to conduct their day-to-day activities. Verizon North AVERS that the local calling area of a telephone exchange is determined by the areas to which the majority of customers within that exchange place calls and that the boundaries of a telephone exchange do not necessarily coincide with municipal or school district boundaries.

Verizon North ADMITS that calls placed from Complainant's residence to telephone numbers assigned to the Ebensburg exchange of Verizon Pennsylvania Inc. (NXX 814-472) would incur a toll charge.

Verizon North AVERS that the Commission's Regulation at 52 Pa. Code §63.74 requires that a subscriber poll be conducted and Extended Area Service be provided to an exchange only if 50% of the customers in the calling exchange make one or more calls to the receiving exchange during the 30-day study period and if the average number of calls made per access line during the study period is 5.50 or more. Verizon North AVERS that the Johnstown exchange did not qualify for local calling to the Ebensburg exchange as a result of the Company's last Toll

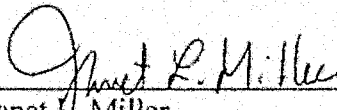
Traffic Study, which was filed with the Commission in 1997. Thus, Verizon North AVERS that customer polling or questionnaires were not required.

Verizon North is without sufficient information or knowledge to respond to Complainant's statements that the "322-exchange uses often & would want 472-exchange toll free." This statement is therefore DENIED and, to the extent this statement is determined to be relevant and material to this proceeding, strict proof thereof is demanded prior to hearing. By way of further answer, however, Verizon North AVERS that the toll traffic usage from the Johnstown exchange to the Ebensburg exchange, as measured by the Company's last Toll Traffic Study, does not support Complainant's statement.

4. Complainant's request for relief was included as part of her statements contained in Paragraph 3 of the Formal Complaint, the responses to which are incorporated herein as set forth above.

WHEREFORE, for all of the reasons set forth above, and in accordance with the Commission's Regulations, Verizon North Inc. requests that the Formal Complaint filed by Linda Lesko at Docket No. C-00014886 be dismissed or denied in its entirety.

Respectfully submitted,

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

SECRETARY'S BUREAU

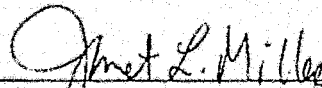
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DATED: March 7, 2001

Counsel for Verizon North Inc.

AFFIDAVIT

I, Janet L. Miller, 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.



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

Counsel for Verizon North Inc.

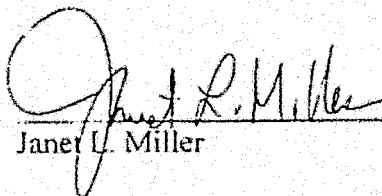
SECRETARY'S BUREAU  
CLERK - 7 PM 4:20

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:

Linda Lesko  
460 Leidy Lane  
Johnstown, PA 15909

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

DATED: March 7, 2001

1-11-01 10:50 AM  
01 MAR -7 PM 4:20  
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265  
March 12, 2001

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-00014886

(See attached list)

Linda Lesko v Verizon North Incorporated

Extended Area Service Complaint.

NOTICE

DOCUMENT  
FOLDER

This is to inform you that an Initial Prehearing Telephone Conference on the above-captioned case will be held as follows:

Date: Friday, May 18, 2001

Time: 10:00 a.m.

Presiding: Administrative Law Judge John H. Corbett, Jr.  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania 15222  
Telephone (412) 565-3550  
Fax: (412) 565-5692

If you have not provided a current telephone number where you can be reached for participation in the conference OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual conference and provide the necessary information.

At the above date and time, the Administrative Law Judge will contact the parties as follows:

Linda Lesko (814) 322-4588  
Janet L. Miller, Esquire (717) 236-1300

DOCKETED  
MAR 15 2001

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 Norma Lewis at the Public Utility Commission:

- 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  
Steve Springer, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File