

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Thomas Gannon,
v.
Verizon Pennsylvania,
Incorporated,

Docket No.: C-20077839

Initial Hearing

**DOCUMENT
FOLDER**

Pages 1 - 12

1400 Spring Garden Street
13th Floor
Philadelphia, PA

Monday, August 27, 2007
Commencing at 10:00 a.m.

BEFORE:

MARLANE R. CHESTNUT, Administrative Law Judge

APPEARANCES:

THOMAS GANNON, PRO SE
119 Yerger Road
Schwenksville, PA 19473

RECEIVED

AUG 29 2007

MARGARET MORRIS, Esquire
Buchanan, Ingersoll & Rooney
1835 Market Street, 14th Floor
Philadelphia, PA 19103

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Counsel for Verizon Pennsylvania, Inc.

DOCKETED
SEP 04 2007

REPORTER: HILLARY CULVER

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P R O C E E D I N G S

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3 JUDGE MARLANE CHESTNUT:

4 This is the hearing scheduled at Docket
5 C-20077839, Thomas Gannon versus Verizon Pennsylvania,
6 Inc. For the record, let me state that I am an
7 Administrative Law Judge, Marlane R. Chestnut. Now
8 I'd like each of you to identify yourself for the
9 record by stating your name, your address, your
10 telephone number. I'm going to start with you please,
11 Mr. Gannon.

12 MR. GANNON:

13 Thomas Gannon, IV. 119 Yerger Road,
14 Schwenksville, Pennsylvania ---.

15 JUDGE CHESTNUT:

16 Can you speak up please for the benefit
17 of the court reporter?

18 MR. GANNON:

19 Sure.

20 JUDGE CHESTNUT:

21 Thanks.

22 MR. GANNON:

23 Thomas Gannon, IV. 119 Yerger Road,
24 Schwenksville, Pennsylvania 19473. 610-287-5322.

25 JUDGE CHESTNUT:

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Thank you. Ms. Morris.

ATTORNEY MORRIS:

Margaret A. Morris. 1835 Market Street,
14th Floor, Philadelphia, PA 19103. Phone number 215-
665-5330.

JUDGE CHESTNUT:

Thank you. Now, by cover letter dated
August 22, 2007, I received a packet of ten proposed
exhibits from you, Ms. Morris; is that correct?

ATTORNEY MORRIS:

Yes, Your Honor.

JUDGE CHESTNUT:

Mr. Gannon, I didn't receive anything
from you; is that correct?

MR. GANNON:

Correct.

JUDGE CHESTNUT:

Okay. Let me also note that of these
proposed exhibits, a number of them are marked highly
confidential or proprietary. And if necessary to
address them, they will be treated as such. Now Mr.
Gannon, what I usually do is I allow the parties an
opportunity to discuss this matter amongst themselves.

MR. GANNON:

Okay.

1 JUDGE CHESTNUT:

2 Without me present, and it would not be
3 on the record so that you can speak freely. I really
4 urge you --- Ms. Morris, are you willing to do that?

5 ATTORNEY MORRIS:

6 Yes. Sure, Your Honor.

7 JUDGE CHESTNUT:

8 Okay. Mr. Gannon, I do want you to be
9 very realistic in examining any offer that the company
10 might make you; okay?

11 MR. GANNON:

12 Okay. Uh-huh (yes).

13 JUDGE CHESTNUT:

14 Okay. I'll do that then, I'll remove
15 myself. The court reporter will not take down what
16 you say. And when you're finished, just indicate that
17 and she'll come and get me; okay? Anything before I
18 leave?

19 ATTORNEY MORRIS:

20 No, Your Honor.

21 MR. GANNON:

22 No.

23 JUDGE CHESTNUT:

24 Okay.

25 MR. GANNON:

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Thank you.

JUDGE CHESTNUT:

Thank you.

OFF RECORD DISCUSSION

JUDGE CHESTNUT:

We'll go back on the record. I gave the parties a chance to resolve this. Ms. Morris, do you want to report on that, please?

ATTORNEY MORRIS:

Yes, I would, Your Honor. Your Honor, the company and Mr. & Mrs. Gannon have reached a settlement agreement. And the settlement agreement there is now an outstanding final of \$2,867.99. The company has agreed to accept \$1,500.00 as payment in full for the disputed amount. The caveat is that Mr. & Mrs. Gannon must pay the \$1,500 by September 7th. In the event that the date of September 7th comes and goes and they have not paid, then Verizon will seek to go forward with the hearing for the full amount of \$2,867.00. Is that acceptable to you, Your Honor?

JUDGE CHESTNUT:

Mr. and Mrs. Gannon, do you agree with that?

MR. GANNON:

Yes, we do.

1 MRS. GANNON:

2 Yes, we do.

3 JUDGE CHESTNUT:

4 I'm really glad you were able to resolve
5 it because frankly, Mr. and Mrs. Gannon, this would
6 have been difficult for you to have gotten any relief
7 otherwise. And Ms. Morris, thank you very much for
8 agreeing to work with these people.

9 ATTORNEY MORRIS:

10 And Your Honor, if it's acceptable to
11 you, what we would like to do is --- I've given the
12 Gannons my e-mail, we exchanged e-mails. They'll
13 e-mail me once the payment has been received, I'll
14 verify it. And then if it's acceptable to you, I'll
15 be more than happy to file certificate of satisfaction
16 so that this could be done with as little
17 administrative processing by the Commission as
18 possible.

19 JUDGE CHESTNUT:

20 That's fine. Is that okay with you, Mr.
21 and Mrs. Gannon?

22 MR. GANNON:

23 Yes, it is.

24 MRS. GANNON:

25 Yes.

1 JUDGE CHESTNUT:

2 Okay. You understand that then what will
3 happen is you make your payment, Ms. Morris will
4 notify me by filing a certificate of satisfaction,
5 which is a letter to the Commission, and you will
6 receive a letter from the Commission stating that the
7 proceeding is closed. Okay?

8 MR. GANNON:

9 All right.

10 JUDGE CHESTNUT:

11 And I certainly hope that you do make the
12 payment because I would hate to have to go ahead with
13 this, frankly. I think this is a very good result and
14 I'm glad you were able to come up with it. Is there
15 anything else you wish to say at this point, Mr. and
16 Mrs. Gannon?

17 MR. GANNON:

18 I'd like to thank everybody for their
19 assistance.

20 ATTORNEY MORRIS:

21 And Mr. Gannon, let me give you my phone
22 number, it's 215-665-5330. You do have my e-mail. I
23 gave you my cell phone and that's my office number.

24 MR. GANNON:

25 Okay.

1 JUDGE CHESTNUT:

2 Ms. Morris, what do you want to do about
3 your exhibits?

4 ATTORNEY MORRIS:

5 Your Honor, if it's all right with you,
6 I'd like to just hold them in advance. Because if we
7 do not need to go forward with the hearing, there is
8 no reason to clog up the Commission files by
9 introducing them.

10 JUDGE CHESTNUT:

11 Okay. I meant, do you want to get them
12 back?

13 ATTORNEY MORRIS:

14 Oh. In the event that it is settled, if
15 that's not too cumbersome to either send them back
16 because there is proprietary information with the
17 Gannons' Social Security numbers, things like that.

18 JUDGE CHESTNUT:

19 Well, I don't think it's a problem for
20 the copy that Mr. and Mrs. Gannon have.

21 ATTORNEY MORRIS:

22 Right. I just figured they could throw
23 out, but ---.

24 JUDGE CHESTNUT:

25 But I can return yours if you want to

1 make arrangements or we can just shred them here.

2 ATTORNEY MORRIS:

3 You know what, Your Honor, I think
4 shredding is probably the cheapest and fastest way to
5 do it.

6 JUDGE CHESTNUT:

7 Okay. That's fine. If you'll accept my
8 representation.

9 ATTORNEY MORRIS:

10 Mr. Gannon, I would say that you also
11 shred it because there is your Social Security number
12 and some other personal information on it.

13 MR. GANNON:

14 Yes. We'll take care of that.

15 JUDGE CHESTNUT:

16 Okay. If there is nothing else then,
17 thank you all very much. And this hearing is
18 adjourned.

19 ATTORNEY MORRIS:

20 Thank you, Mr. and Mrs. Gannon. I'll be
21 talking to you soon.

22 MR. GANNON:

23 Thank you very much.

24 * * * * *

25 HEARING CONCLUDED AT 10:26 A.M.

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C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Hilary Culver

Court Reporter

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