CAPTION SHEET CASE MANAGEMENT SYSTEM

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: 01/24/06
8. DOCKET NO: C-20065808	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: Q-MATION, INC./STRONGARM DESIGNS, INC.

RESPONDENT/APPLICANT: BROADVIEW NETWORKS, INC

COMP/APP COUNTY: MONTGOMERY UTILITY CODE: 310932

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT THERE IS A RELIABILITY, SAFETY OR QUALITY PROBLEM WITH THEIR UTILITY SERVICE. THEY WOULD LIKE DAMAGES IN THE AMOUNT OF THE LINE AND PHONE CHARGES REFUNDED FOR LINES THAT HAVE NOT FUNCTIONED RELIABLY FOR THE PAST YEAR AND WE WILL ELSEWHERE SEEK PUNITIVE DAMAGES FOR THEIR ABHORRENT SUPPORT IN MAKING SURE THAT THE ISSUES ARE RESOLVED IN A TIMELY MANNER TO ALLOW BOTH Q-MATION AND STRONGARM TO CONDUCT REGULAR COMMERCE.

DOCUMENT FOLDER

DOCKETED
JAN 26 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20065808

RECEIVED

JAN 24 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address.

Name Q-mation, Inc./ STRONGARM Designs, Inc.

Street/P.O. Box 425 Caredean Drive Apt # _____

City Horsham State PA Zip _____ 19044

County Montgomery

Area Code/HOME Phone _____

Area Code/WORK Phone 215-675-5800 & 215-443-3400

Utility Account Number 2154433400
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Broadview (telephone service)

3. TYPE OF UTILITY (check one)

- ☐ ELECTRIC
- ☐ GAS
- ☐ WATER
- ☐ STEAM HEAT
- ☐ WASTE WATER
- ☐ MOTOR CARRIER (taxi, moving company, limousine)
- ☑ TELEPHONE (local, long distance)

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58

4. **COMPLAINT** (check one)

A. In general, what is your complaint?

☐ I want to oppose the company's proposed rate increase.

☐ There are incorrect charges on my bill.

☑ There is a reliability, safety or quality problem with my utility service.

☐ I received a notice that my utility service is being terminated.

☐ I would like a payment agreement.

☐ Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Broadview has consistently provided poor or no service to ensure Q-mation and STRONGARM have functioning analog telephone lines. When pressed, Broadview blames their sub Verizon for not acting properly, but it is Broadview who have not performed.

Our telephone lines go out when there is rain, melting snow, as the outside box has flooding issues and it shorts the lines out. Despite reports in 2005 to address this, and two reports in early January, Broadview's response has been to listen, log a service ticket – dispatch Verizon (their sub), allow Verizon to do whatever they wish, close the ticket, not resolve the issue and not to contact Q-mation about any of this. With the most recent issue, the box outside our building was to be replaced so the flooding issues would be eliminated. They seem to wait for dry weather, report all thelines ok,and move on. Broadview claimed Verizon would fix the box on January 7th, and then revised it to January 10th, and then they closed the ticket out completely with no box replacement whatsoever – the box replacement information was provided by Broadview corporate and the local Horsham Broadview team. After contacting them again today, I was finally able to get them to admit nothing had been done and that the service tickets should not have been closed since the goal was to fix our lines. I do not expect anything positive to come from the latest promise of Broadview to get something done, as they have been given too many second chances. It must be breaking a whole pile of laws for them to outwardly ignore the needs for my companies to conduct commerce through their constant runarounds and closing of service tickets that are critical to be addressed in order to allow my companies to do business regardless of the weather outside.

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5. RELIEF

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

We would like damages in the amount of the line and phone charges refunded for lines that have not functioned reliably for the past year and we will elsewhere seek punitive damages for their abhorrent support in making sure that the issues are resolved in a timely manner to allow both Q-mation and STRONGARM to conduct regular commerce. We wish our telephone charges to be refunded as their poor service and lack of interest in our telephone lines being functional should not allow them to gain any positive revenue from our companies

(Q-mation brings in $72,000 daily, and STRONGARM $30,000 daily – without telephones or faxes, all of that commerce cannot occur, and customers are forced to look elsewhere for products and services)

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6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES ☐

NO ☐

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES ☑
(includes appeals of BCS determinations)

NO ☐

Deleted: n

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I WILLIAM BULLOTTA, ***hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).***

(Signature) January 24, 2006 (Date)

Deleted:

9. **LEGAL REPRESENTATION (IF ANY)**

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 _____

10. **FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:	If using overnight delivery service:
Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2nd Floor Harrisburg, Pennsylvania 17120

Facsimiles and/or electronic filings of the complaint form will not be accepted.

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

Keep a copy of your complaint for your records.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 26, 2006

DOCUMENT FOLDER

Q-MATION, INC./STRONGARM DESIGNS, INC.
Complainant

v.

BROADVIEW NETWORKS, INC.
Respondent

Complaint Docket No: C-20065808

DOCKETED
JAN 26 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: BROADVIEW NETWORKS, 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

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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: JANUARY 26, 2006

C-20065808

BROADVIEW NETWORKS, INC.
45-18 COURT SQUARE
SUITE 403
LONG ISLAND CITY NY 11101

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Q-MATION, INC./STRONGARM DESIGNS, INC.. 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.

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

JANUARY 26, 2006

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

JIH

Broadview Networks

Making Connections That Make a Difference.

ORIGINAL

RESPONSE TO PA PUC COMPLAINT

RECEIVED
2006 FEB 24 PM 8:34
PA P.U.C.
SECRETARY'S BUREAU

Date: 2/21/2006
William Bullotta
Work phone: 215-443-3400
Case Number: C-20065808

DOCUMENT FOLDER

History of Complaint Issue:

The customer migrated to Bridgecom/Broadview on 12/18/2000
This customer filed a complaint with the Pennsylvania Public Utility Commission on 01/26/2006 stating that Broadview Networks has provided poor service for their telephone lines. Customer states that they are out of service when it rains or other bad weather. Customer seeks damages in the amount of the line charges & usage charges refunded for lines that have not functioned reliably for the last year. Also, customer advised they will be seeking punitve damages as well.

Broadview Networks has determined the following:

On 11/16/2005 the customer (Judy Meyers) called into Bridgecom stating that her vendor cheked for line 914-741-5020 and did not find it at the Dmarc. Requested credit dating back from time of the start of the contract.

On 1/03/06 the customer advised Broadview Networks that the Dmark get water in it when it rains. So an immediate ticket was opened regarding weather affecting service at the Dmarc.

The last trouble ticket was opened on 2/15/06 for UG cable getting wet. Broadview set up a vendor meet with Verizon which completed on 2/16/06. Both techs found no trouble outside. Also the UG cable was dry. Attempts were made to reach this customer on 2/16, 2/17 & 2/20 to check if the trouble still exists. No returned calls.

As was mentioned to an email sent to Mr. Bullotta, Broadview Networks along with any utility compainies don't offer a loss of business credit. But Broadview Networks can offer a Courtesy credit in the amount of $200.00 to their account. Broadview Networks values their customers and will continue to dilligently work hard in providing proper service to their customers.

If you would like to contact me feel free to reach me at 914-922-7554.

Sincerely,

Andrew Ashburn III
Subpoena Compliance

DOCKETED
FEB 24 2006

32

Ashburn, Andrew

From: Ashburn, Andrew
Sent: Tuesday, February 21. 2006 10 34 AM
To: 'bbullotta@qmation com'
Cc: Ashburn, Andrew
Subject: PUC complaint

Good morning Mr. Bullotta,
I have been trying to get in touch with you for a little while now. I was given your email address from Amy Y. in you company. She advised that email may be the best way of speaking with you.

I work with Broadview Networks Regulatory Dept. We received your complaint from the State of PA. In your complaint you mentioned that you seek damages for the line charges/usage for lines in which the service was affected for the last year. And you advised that you will be seeking punitive damages as well.

We are sorry to hear that our customers have negative experiences from our services. As it is understood that service related issues can affect revenue, Utility companies don't offer a loss of business credit. However, Broadview Networks can offer a courtesy credit of $200.00 to your account. I would like to suggest to you that if you feel your issues are not being addressed correctly going forward ask for a supervisor to speak with. This will expedite the issue.

Thanks,

Andrew Ashburn III
Subpoena Compliance Dept
Bridgecom / Broadview
Tele: 914-922-7554
Fax: 347-287-0211
aashburn@bridgecom.com
aashburn@broadviewnet.com

RECEIVED
2006 FEB 24 PM 8:34
PA P.U.C.
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20065808

Please print or type.

1. **CUSTOMER NAME (COMPLAINANT)**

Your name, mailing address, county, telephone number, utility account number and service address:

Name O-mation, Inc / STRONGARM Designs, Inc

Street/P.O. Box 425 Caredean Drive Apt # _____

City Horsham State PA Zip 19044

County Montgomery

Area Code/HOME Phone _____

Area Code/WORK Phone 215-675-5800 & 215-443-3400

Utility Account Number 2154433400
(from your bill)

Deleted:

Deleted:

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If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. **UTILITY NAME (RESPONDENT)**

Name of utility company your complaint concerns: Broadview (telephone service)

Deleted:

3. **TYPE OF UTILITY** (check one)

- ☐ ELECTRIC
- ☐ GAS
- ☐ WATER
- ☑ TELEPHONE (local, long distance)
- ☐ STEAM HEAT
- ☐ WASTE WATER
- ☐ MOTOR CARRIER (taxi, moving company, limousine)

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RECEIVED
2006 FEB 24 PM 8:35
PA P.U.C.
SECRETARY'S BUREAU

4. COMPLAINT (check one)

A. **In general, what is your complaint?**

☐ I want to oppose the company's proposed rate increase.

☐ There are incorrect charges on my bill.

☑ There is a reliability, safety or quality problem with my utility service.

☐ I received a notice that my utility service is being terminated.

☐ I would like a payment agreement.

☐ Other.
(explain)

B. **State the facts of your complaint.**

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Broadview has consistently provided poor or no service to ensure Q-mation and STRONGARM have functioning analog telephone lines. When pressed, Broadview blames their sub Verizon for not acting properly, but it is Broadview who have not performed.

Our telephone lines go out when there is rain, melting snow as the outside box has flooding issues and it shorts the lines out. Despite reports in 2005 to address this, and two reports in early January, Broadview's response has been to listen, log a service ticket – dispatch Verizon (their sub), allow Verizon to do whatever they wish, close the ticket, not resolve the issue and not to contact Q-mation about any of this. With the most recent issue, the box outside our building was to be replaced so the flooding issues would be eliminated. They seem to wait for dry weather, report all the lines ok,and move on. Broadview claimed Verizon would fix the box on January 7th, and then revised it to January 10th, and then they closed the ticket out completely with no box replacement whatsoever – the box replacement information was provided by Broadview corporate and the local Horsham Broadview team. After contacting them again today, I was finally able to get them to admit nothing had been done and that the service tickets should not have been closed since the goal was to fix our lines. I do not expect anything positive to come from the latest promise of Broadview to get something done, as they have been given too many second chances. It must be breaking a whole pile of law, for them to outwardly ignore the needs for my companies to conduct commerce through their constant runarounds and closing of service tickets that are critical to be addressed in order to allow my companies to do business regardless of the weather outside.

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5. RELIEF

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

We would like damages in the amount of the line and phone charges refunded for lines that have not functioned reliably for the past year and we will elsewhere seek punitive damages for their abhorrent support in making sure that the issues are resolved in a timely manner to allow both Q-mation and STRONGARM to conduct regular commerce. We wish our telephone charges to be refunded as their poor service and lack of interest in our telephone lines being functional should not allow them to gain any positive revenue from our companies

(Q-mation brings in $72,000 daily, and STRONGARM $30,000 daily – without te ephones or faxes, all of that commerce cannot occur, and customers are forced to look elsewhere for products and services)

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6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement

Has a court granted a "Protection from Abuse" order for your personal safety?

YES ☐

NO ☐

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility

Have you spoken to a utility company representative about this complaint?

YES ☑
(includes appeals of BCS determinations)

NO ☐

Deleted: □

If you tried to, but could not speak to a utility company representative about your complaint, please explain why

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I WILLIAM BULLOTTA, *hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).*

William Bullotta
(Signature)

January 24, 2006
(Date)

Deleted:

9. LEGAL REPRESENTATION (IF ANY)

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 _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:	If using overnight delivery service:
Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2nd Floor Harrisburg, Pennsylvania 17120

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Keep a copy of your complaint for your records.

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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: JANUARY 26, 2006

C-20065808

BROADVIEW NETWORKS, INC.
45-18 COURT SQUARE
SUITE 403
LONG ISLAND CITY NY 11101

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Q-MATION, INC./STRONGARM DESIGNS, INC.. 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.

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COMPANY/UTILITY

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

Very truly yours,

James J. McNulty
Secretary

JIH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 26, 2006

Q-MATION, INC./STRONGARM DESIGNS, INC.
Complainant

v.

Complaint Docket No: C-20065808

BROADVIEW NETWORKS, INC.
Respondent

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: BROADVIEW NETWORKS, 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.

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James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested