

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: 01/03/07
8. DOCKET NO: C-20077251 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: O'NEILL, BRIAN S.

RESPONDENT/APPLICANT: CORDIA COMMUNICATIONS CCRP.

COMP/APP COUNTY:

UTILITY CODE: 311172

ALLEGATION OR SUBJECT

COMPLAINANT STATES CORDIA COACHED HIS AILING FATHER INTO SWITCHING SERVICE FROM VERIZON WHICH HE DIDN'T WANT. HE WOULD LIKE THE PUC TO REVIEW CORDIA'S BUSINESS PRACTICES AND VOID ALL OUTSTANDING CHARGES OWED BY HIS FATHER.

DOCUMENT
FOLDER

DOCKETED
JAN 10 2007

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20077251

1. CUSTOMER NAME (COMPLAINANT)

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

Name Brian S. O'Neill

Formatted

Street/P.O. Box 325 Orchard Road Apt #

Deleted:

City Fleetwood State PA Zip 19522

County USA

Area Code/HOME Phone 610-944-5338

Area Code/WORK Phone 484-336-8055

Utility Account Number 610-777-3296 (from your bill)

ORIGINAL

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

Name Benjamin H. O'Neill (father)

Street/P.O. Box 339 Madison Street

City Shillington State PA Zip 19607

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Cordia Communications

3. TYPE OF UTILITY (check one)

- ELECTRIC, GAS, WATER, STEAM HEAT, WASTE WATER, MOTOR CARRIER (taxi, moving company, lim)

X TELEPHONE (local, long distance)

Deleted: (business)

RECEIVED 2007 JAN -3 AM 8:54 PA.P.U.C. SECRETARY'S BUREAU

H

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.

Cordia contacted my ailing, elderly father and managed to coach him into changing his service from Verizon to Cordia. I reviewed the actual tape recording and it is obvious he was confused and unaware of what he was doing. He did not want to change his service and I explained this to Cordia. On 12/5/06, I asked for a problem resolution supervisor to review to tape and contact me. The billing inquiry number is 798355. I called back asking for an update (mid-Dec.) but have not yet been contacted. Subsequently, I changed the service back to Verizon. Cordia continues to harrass my father over payment which I think should be voided. I have contacted the Better Business Bureau of Florida and the State Attorney General's Offices of Pennsylvania to file complaints.

I have two issues:

- 1) Cordia's questionable business solicitation practices and
- 2) My father's continued harrassment regarding a documented disputed charge

5. RELIEF

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

Review Cordia's business practices and void all outstanding charges (\$41.92) on my father's account (610) 777-3296.

Deleted: 1
1
1

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

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 BRIAN S. O'NEILL, 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).

Brian S O'Neill 12-29-06
(Signature) (Date)

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, 2 nd 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.



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 10, 2007

C-20077251

CORDIA COMMUNICATIONS CORP
445 HAMILTON AVE STE 408
WHITE PLAINS NY 10601

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BRIAN O'NEILL. 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.

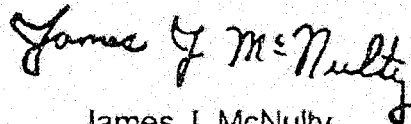
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

JANUARY 10, 2007

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,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the printed name and title.

James J. McNulty
Secretary

SS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 10, 2007

BRIAN O'NEILL

Complainant

v.

CORDIA COMMUNICATIONS CORP

Respondent

Complaint Docket
No: C-20077251

DOCKETED
JAN 10 2007

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: CORDIA COMMUNICATIONS CORP

**DOCUMENT
FOLDER**

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).

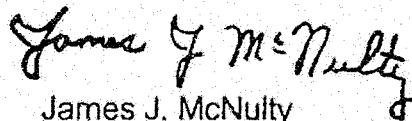
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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

cordia
communications

445 Hamilton Avenue, Suite 408
White Plains, New York 10601

ORIGINAL

January 16, 2007

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
400 North Street
Keystone Bldg.
Harrison, PA 17120

**DOCUMENT
FOLDER**

RECEIVED

JAN 24 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Complaint Docket No. C-20077251
Telephone No. 610-777-3296

Dear Mr. McNulty:

A review of the Third Party Verification recording for telephone number 610-777-3296 did not suggest that Cordia Communications Corp., the Respondent in the above referenced case, employed "questionable business solicitation practices" as alleged by Mr. Brian O'Neill, the Complainant.

Though it is obvious that Mr. Ben J. O'Neill is a senior citizen, he appeared lucid and capable of making telephone decisions. Abilities tend to vary amongst senior citizens and all third party verifiers are trained to terminate the verification process if it is so determined that the potential end-user did not fully comprehend the implications of his/her responses.

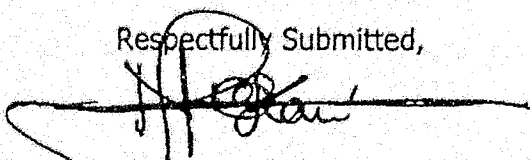
There was an instance where Mr. Ben J. O'Neill seemed unsure of the question posed by the verifier and it is possible that the terminology ("local service carrier") may have contributed to what his son (the Complainant) considers a sign that his father was confused. This is not a terminology most potential end-users are accustomed to and where applicable, paraphrases and clues are used for better understanding; bearing in mind that the entire verification process is scripted.

A prior determination of the Complainant's dispute was made on December 8, 2006. It required the Complainant to furnish a copy of his father's Verizon invoice for use in re-rating Cordia's charges to match that of Verizon's.

Though Cordia Communications is willing to settle this case by waiving all charges, it must be noted that this event would translate into a period of "free" service between November 9, 2006 and December 27, 2006 as neither Cordia nor Verizon received payment.

Mr. Ben H. O'Neill's account is presently deactivated with a zero balance.

Respectfully Submitted,



Claude Abbew
Executive Escalations
914-948-5550

69