

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRIAN S. O'NEILL

v.

CORDIA COMMUNICATIONS CORP.

C-20077251

DOCKETED
FEB 07 2007

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FOLDER

INTERIM ORDER
SETTING RESOLUTION CONFERENCE

On or about January 3, 2007, Brian S. O'Neill ("Complainant") filed a complaint against Cordia Communications Corp. ("Respondent"), at the above-captioned Docket Number. On or about January 24, 2007, Respondent filed an answer to the complaint.

Based upon a review of the information contained in this material, I direct the parties to attempt to resolve this matter themselves. Respondent shall contact Complainant no later than February 15, 2007, to set a mutually convenient time, date and place for Respondent and Complainant to hold a conference about resolving the case. The conference must take place no later than March 1, 2007, unless this is not possible.

Within ten (10) days following the conference, Respondent shall file a short report with Bruce Bigelow ("Mediator"), setting forth:

- (a) The time, date and place of the conference;
- (b) Who participated for each party;
- (c) A statement whether a full resolution, including withdrawal of complaint, was achieved, and, if not, whether the parties consent to have this case set for mediation by the mediation staff of the Commission; and
- (d) A statement of any issues which have been resolved, if a full resolution was not achieved.

The Commission encourages mediation if the parties cannot reach an agreement through the resolution conference. Mediation is an informal process in which the parties attempt to resolve the case with the help of a mediator. The mediator is a neutral staff member of the Commission who does not give advice, represent any party, evaluate or make a decision. Instead, the mediator assists the parties in their efforts to come to an agreement.

If the parties do not reach an agreement on their own, and do not consent to mediate, they are entitled to the hearing process. The hearing process usually includes the presentation of oral testimony and other evidence before a Commission administrative law judge, who will then consider the case and make a written decision to resolve it.

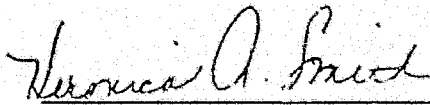
If it is not possible to have the conference by the date set for that purpose, Respondent shall file a report with the Mediator, on or before ten (10) days following the conference due date, giving the reason(s) why the due date could not be met.

In either situation, a report must be filed with the Mediator by the applicable due date set forth above.

If you have any questions, you should contact the Mediator. His address and phone number are:

Mediator Bruce Bigelow
P. O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5413
Email: bbigelow@state.pa.us

Date: February 1, 2007


VERONICA A. SMITH
Chief Administrative Law Judge



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

January 29, 2007

Johanna Moorer
Better Business Bureau of Central Florida, Inc.
Complaint Department
1600 S. Grant Street
Longwood, FL 32750

Re: Case #: AB71E-440CD-6E453-1A1CO-FAC9B-B25CC-64
Account No. 35184239, Brian O'Neill

Dear Ms. Moorer,

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

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.

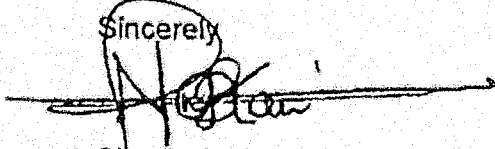
There was an instance where Mr. Ben J. O'Neill seemed unsure of the question posed by the verifier and it is possible that the terminology ("local service carrier") may have contributed to what his son (the Complainant) considers a sign that his father was confused. This is not a terminology most potential 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.

Sincerely,



Claude Abbew
Executive Escalations
914-948-5550

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: February 13, 2007
SUBJECT: Brian S. O'Neill v. Cordia Communications Corp.
C-20077251
TO: Wanda Zeiders
Docket Management
FROM: Linda Salome, ALJ Support Staff
Office of Administrative Law Judge

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On February 13, 2007, a Petition to Withdraw was filed in the above-captioned proceeding. If no objection is filed to this petition within 20 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: Bruce Bigelow, Mediator
Beth Plantz
Case File

DOCKETED
FEB 20 2007

C-20077251
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February 08, 2007

Mr. Bruce Bigelow
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

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Dear Mr. Bigelow,

Per our recent discussion, this is a follow-up note as to the status of my claim with Cordia Communications on behalf of my father, Ben O'Neill.

Enclosed, please find a copy of correspondence from Cordia Communications to the Better Business Bureau of Central Florida, Inc. Complaint Department. The last sentence indicates the account is presently closed with a zero balance. A follow up call to Cordia representative, Michael Harrington, at 914-948-5550, ext. 1093, verified the same. At this time we consider the matter closed.

Thank you for your assistance in the resolution of this claim.

Sincerely,

Brian S. O'Neill

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

IN REPLY PLEASE
REFER TO OUR FILE

March 16, 2007

C-20077251

BRIAN S. O'NEILL
325 ORCHARD ROAD
FLEETWOOD PA 19522

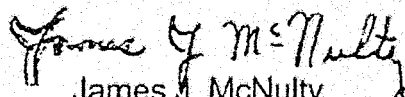
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DOCKETED
MAR 14 2007

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,


James J. McNulty
Secretary

cc: All parties of Record

nvl

BTL

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