

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: 03/14/07
8. DOCKET NO: C-20077467	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: HALLAK, JEANNETTE

RESPONDENT/APPLICANT: VERIZON PENNSYLVANIA INC

COMP/APP COUNTY: BUCKS

UTILITY CODE: 310200

ALLEGATION OR SUBJECT

COMPLAINANT STATES ADDED FEE ON PHONE BILL AND BLOCK ON LINE. SHE WOULD LIKE THE PUC TO HAVE THE \$5 CREDITED AND BLOCK TAKEN OFF OF BILL.

DOCUMENT
FOLDER

DOCKETED
MAR 27 2007

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED
2007 MAR 14 AM 8:56
SECRETARY'S OFFICE

Please print or type.

C-20072467

1. CUSTOMER NAME (COMPLAINANT)

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

Name Jeannette Hallak

Street/P.O. Box 584 Arbor Road Apt # _____

City Morrisville State PA Zip 19067

County BERKS

Area Code/HOME Phone 215-736-8813

Area Code/WORK Phone 215-380-8833

Utility Account Number (from your bill) 215-736-8813-84954

ORIGINAL

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: Verizon

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

7

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.

ZPDI (888) 505-0734 is blocking my telephone number (215) 736-8813 from receiving collect calls from my 20 years old nephew who is a jail in the State of Delaware. I feel that this behavior is because I questioned a bill charge of \$5.00 for their clearing house agent, Value Added Comm's (800) 786-8521 Bill Statement Fee. I can not understand why I am charged a Bill Statement fee on my Verizon bill. Please let me know if this is legal to charge and to refuse to remove the block. I have called three different times and I was promised the block was removed. My nephew still can not call me. My bill is always paid up to date and on time.

5. **RELIEF**

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

Resolution: reimbursement for \$5.00 which appears to be illegal fee and for their refusal to remove the block for retaliation for threatening to contact the Attorney General Office to investigate fraud.

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:

1 Domato Hall 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).

Domato Hall
(Signature)

3/12/07
(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.



We never stop working for you.

ZPDI billing questions toll free 1 888 505-0734

Billing for ZPDI

The following charges appear on your Verizon bill as a service to ZPDI. Direct your billing questions to the phone number on the right.

BILLING ADJUSTMENTS

Adjustments for 215 736-8813

1 Feb 1	State tax adjustment		CR .23
	Adjustment(s) applied to previous charges.	Total	CR \$.23

Billing on behalf of Value Added Comm
Billing Questions call 1 888 505-0734

Operator Assisted Calls

Date	Time	Called from	Called to	Type*	Period	Min.	
2 Jan 1	7:54 pm	302 854-6835	215 736-8813	Col	Eve	15	5.50
		Georget	DI: Morrisvl	PA			
3 Jan 16	6:04 pm	302 854-6835	215 736-8813	Col	Eve	15	5.50
		Georget	DI: Morrisvl	PA			
Total							\$ 11.00

*Opr = operator dialed call 3rd = third party call
Col = collect call Spl = special collect call

For questions concerning your bill, call the number listed at the top of this section. The calls on this page were forwarded by ZPDI, the clearinghouse agent for Value Added Comm.

TAXES AND FEES ON SERVICES

4 State sales tax		.66
Total		\$.66
Non-basic service charges		\$ 11.66

Billing on behalf of Value Added Comm
Billing Questions call 1 888 505-0734

MISCELLANEOUS CHARGES AND CREDITS

Charges and Credits for 215 736-8813		
5 Jan 17	Bill Statement Fee	5.00
Total		\$ 5.00

For questions concerning your bill, call the number listed at the top of this section. The calls on this page were forwarded by ZPDI, the clearinghouse agent for Value Added Comm.

TAXES AND FEES ON ZERO PLUS DIALING INC

6 State sales tax		.30
Total		\$.30
ZPDI non-basic service charges		\$ 5.30

Total for ZPDI ** \$ 16.96

Nonpayment of provider charges will not result in the disconnection of your local telephone service; however, collection of unpaid charges may be pursued by the service provider.

For more information on ZPDI, please access their World Wide Web Site address at: <http://www.billview.com/zpli>

Handwritten notes: 2113, 2122, 315, 9109, 9114

Handwritten notes: 800-8521, 786-8521, 2113, 2122, 315, 9109, 9114



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: MARCH 28, 2007

C-20077467

LEIGH A. HYER
VERIZON PENNSYLVANIA INC
FLOOR 10W
1717 ARCH ST
PHILADELPHIA PA 19103

DOCUMENT
FOLDER

Dear Ms. Hyer:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JEANNETTE HALLAK. 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.

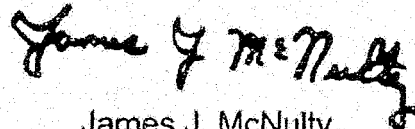
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

MARCH 28, 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 black ink that reads "James J. McNulty". The signature is written in a cursive style with a large, stylized initial "J" and a distinct flourish at the end.

James J. McNulty
Secretary

SS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: MARCH 28, 2007

JEANNETTE HALLAK
Complainant

v.

VERIZON PENNSYLVANIA, INC.
Respondent

Complaint Docket
No: C-20077467

DOCKETED

MAR 27 2007

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

**DOCUMENT
FOLDER**

TO: VERIZON PENNSYLVANIA, 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).

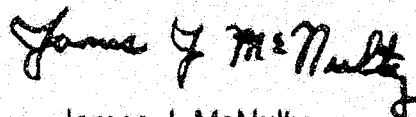
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

Hawke
 McKeon &
 Sniscak LLP

ATTORNEYS AT LAW

William T. Hawke
Kevin J. McKeon
Thomas J. Sniscak
Lillian Smith Harris
Scott T. Wyland
Todd S. Stewart
Craig R. Burgraff

Steven D. Snyder
Janet L. Miller
Steven K. Haas
William E. Lehman
Rikardo J. Hull
Katherine E. Lovette
Amy A. Whitney

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

April 17, 2007

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street - Filing Room (2nd Floor)
P.O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

SECRETARY'S BUREAU

2007 APR 17 PM 1:55

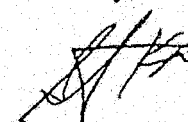
RE: Jeannette Hallak v. Verizon Pennsylvania Inc.; Docket No. C-20077467;
ANSWER AND NEW MATTER OF VERIZON PENNSYLVANIA INC.

Dear Mr. McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of Verizon Pennsylvania Inc.'s Answer and New Matter in the above-captioned proceeding. 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.

Sincerely,



Steven K. Haas
Counsel for Verizon Pennsylvania Inc.

**DOCUMENT
FOLDER**

SKH/kml
Enclosures
cc: Jeannette Hallak

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

19

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEANNETTE HALLAK.

Complainant

v.

VERIZON PENNSYLVANIA INC.,

Respondent.

Docket No. C-20077467

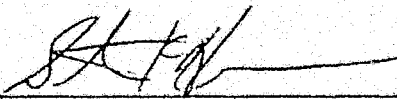
SECRETARY'S BUREAU

2007 APR 17 PM 1:55

NOTICE TO PLEAD

TO: Jeannette Hallak
584 Arbor Road
Morrisville, PA 19067

Pursuant to 52 Pa. Code §§5.62 and 5.63, you are hereby notified that, if you do not file a written response denying or correcting the enclosed New Matter of Verizon Pennsylvania Inc., within twenty (20) days from service of this notice, the facts set forth by Verizon PA in the New Matter may be deemed to be true, thereby requiring no other proof. All pleadings such as a Reply to New Matter, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Verizon PA.


Steven K. Haas, Attorney I.D. # 73312
Hawke McKeon & Sniscak LLP
Harrisburg Energy Center
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105-1778
E-mail: skhaas@hmslegal.com
Telephone: (717) 236-1300
Facsimile: (717) 236-4841

DATED: April 17, 2007

Counsel for Verizon Pennsylvania Inc.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEANNETTE HALLAK,

Complainant

v.

VERIZON PENNSYLVANIA INC.,

Respondent.

Docket No. C-20077467

2007 APR 17 PM 1:55
SECURITY'S BUREAU

ORIGINAL

ANSWER OF VERIZON PENNSYLVANIA INC.
TO THE COMPLAINT OF JEANNETTE HALLAK

Verizon Pennsylvania Inc. ("Verizon PA"), by its attorneys in this proceeding, Hawke McKeon & Sniscak LLP, hereby submits its Answer to the Complaint filed by Jeannette Hallak ("Complainant"). In support thereof, Verizon PA avers and represents as follows.

1. ADMITTED, upon information and belief.
2. ADMITTED. The correct corporate name of the Respondent is Verizon Pennsylvania Inc.
3. ADMITTED.
4. A. Verizon PA ADMITS that the Complaint involves allegations of an improper collect call block and of improper charges imposed by companies other than Verizon PA.

**DOCUMENT
FOLDER**

DOCKETED
APR 18 2007

4. B. This paragraph of the complaint does not contain any allegations of wrongdoing on the part of Verizon PA. The allegations raised are against ZPDI, for which Verizon PA provides certain billing services, and Value Added Comm., which, according to Ms. Hallak, is an agent of ZPDI.¹ Verizon PA has no knowledge about the terms and conditions of the rates or services provided by ZPDI to Ms. Hallak. Accordingly, the allegations are DENIED.

5. Paragraph 5 of the complaint contains requests for relief to which no responses are required.

NEW MATTER

1. Neither ZPDI nor Value Added Comm. are affiliates or subsidiaries of Verizon PA.

2. Verizon PA did not impose or place on the Complainant's Verizon PA account any restrictions or blocks of any kind for either incoming or outgoing calls.

3. The \$5.00 "Bill Statement Fee" at issue in Ms. Hallak's complaint is not a Verizon PA fee or charge. Verizon PA receives no portion of this fee.

4. Verizon PA had no involvement in any way with the establishment or imposition of the terms and conditions of service, and any related charges, between Ms. Hallak and either ZPDI or Value Added Comm.

¹ Verizon PA has filed Preliminary Objections to this complaint on this basis.

WHEREFORE, for the reasons set forth above, Verizon Pennsylvania Inc. respectfully requests that the Formal Complaint filed by Jeannette Hallak, at Docket No. C-20077467, be dismissed or denied in its entirety.

Respectfully submitted.



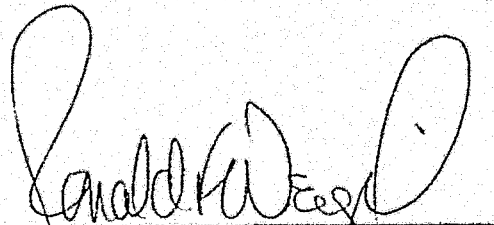
Steven K. Haas
Hawke McKeon & Sniscak LLP
Harrisburg Energy Center
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105-1778
(717) 236-1300
Email: skhaas@hmslegal.com

DATED: April 17, 2007

Counsel for
Verizon Pennsylvania Inc.

AFFIDAVIT

I, RONALD F. WEIGEL, Director – Government Relations of Verizon Pennsylvania, am authorized to make this affidavit on its behalf, and I verify that the information provided in the foregoing document(s) is true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authorities.



RONALD F. WEIGEL
Director – Government Relations

SECRETARY'S BUREAU
2007 APR 17 PM 1:55

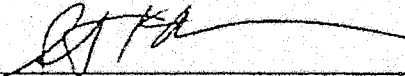
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

SERVICE VIA FIRST CLASS MAIL:

Jeannette Hallak
584 Arbor Road
Morrisville, PA 19067

2007 APR 17 PM 1:55
SECRETARY'S BUREAU



Steven K. Haas

Dated this 17th day of April, 2007.

Hawke
 Mckeon &
 Sniscak LLP
ATTORNEYS AT LAW

William T. Hawke
Kevin J. McKeon
Thomas J. Sniscak
Lillian Smith Harris
Scott T. Wyland
Todd S. Stewart
Craig R. Burgraff

Steven D. Snyder
Janet L. Miller
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Rikardo J. Hull
Katherine E. Lovette
Amy A. Whitney

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

April 17, 2007

VIA HAND DELIVERY

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

ORIGINAL

SECRETARY'S BUREAU

2007 APR 17 PM 1:55

Re: Jeannette Hallak v. Verizon Pennsylvania Inc.; Docket No. C-20077467;
PRELIMINARY OBJECTIONS

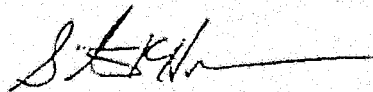
**DOCUMENT
FOLDER**

Dear Secretary McNulty:

Enclosed for filing with the Commission are an original and three (3) copies of Verizon Pennsylvania Inc.'s Preliminary Objections in the above-captioned proceeding. 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,



Steven K. Haas
Counsel for Verizon Pennsylvania Inc.

SKH/kml
Enclosures
cc Jeannette Hallak

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

JEANNETTE HALLAK

Complainant :

v.

Docket No. C-20077467

VERIZON PENNSYLVANIA INC.,

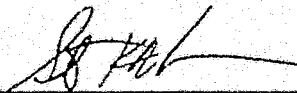
Respondent :

2007 APR 17 PM 1:55
SECRETARY'S BUREAU

NOTICE TO PLEAD

TO: Jeannette Hallak
584 Arbor Road
Morrisville, PA 19067

Pursuant to 52 Pa. Code § 5.101, *et seq.*, you are hereby notified that Verizon Pennsylvania Inc. ("Verizon PA") has filed Preliminary Objections, which you may answer within ten (10) days unless otherwise provided in Chapter 5 of Title 52 of the Pennsylvania Code. Your failure to answer will allow the presiding officer to rule on the Preliminary Objections without a response from you, thereby requiring no other proof. All Pleadings, such as a reply to these Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Verizon PA.



Steven K. Haas
Attorney I.D. #73312
Hawke McKeon & Sniscak LLP
100 North Tenth Street
PO Box 1778
Harrisburg, PA 17105-1778
717-236-1300 (voice); 717-236-4841 (fax)
skhaas@hmsk-law.com

DATED: April 17, 2007

Counsel for Verizon Pennsylvania Inc.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2007 APR 17 PM 1:55
SECRETARY'S OFFICE

JEANNETTE HALLAK

Complainant

v.

Docket No. C-20077467

VERIZON PENNSYLVANIA INC.,

Respondent

ORIGINAL

DOCKETED
APR 18 2007

**PRELIMINARY OBJECTIONS
OF VERIZON PENNSYLVANIA INC.
TO THE FORMAL COMPLAINT
OF JEANNETTE HALLAK**

**DOCUMENT
FOLDER**

Verizon Pennsylvania Inc. ("Verizon PA"), by and through its counsel in this proceeding, Hawke McKeon & Sniscak LLP, and pursuant to the Pennsylvania Public Utility Commission's ("Commission") regulation at 52 Pa. Code § 5.101, hereby files the following Preliminary Objection to the Formal Complaint of Jeannette Hallak ("Complainant"). Specifically, Verizon PA avers that the Formal Complaint is legally insufficient because it does not raise any allegations of wrongdoing or illegal conduct on the part of Verizon PA. Rather, the Complainant merely alleges that a company to which Verizon PA provides billing services is charging her improper or invalid charges and improperly blocking certain calls. In support thereof, Verizon PA represents as follows:

BACKGROUND

1. On March 14, 2007, the Complainant filed a Formal Complaint with the Commission against Verizon PA. The complaint was assigned Commission Docket No. C-20077467. The Complainant alleges that she is improperly being blocked by a company called ZPDI from being able to receive collect calls from her nephew, who is in prison in the State of Delaware. She further alleges that she is being improperly charged a \$5.00 "Bill Statement Fee" by a company called Value Added Comm. By way of relief, the Complainant would like to be reimbursed for the \$5.00 fee, which she believes is illegal.

2. Verizon PA filed its Answer and New Matter to Ms. Hallak's Formal Complaint on April 17, 2007. Verizon PA's Answer and New Matter are incorporated herein by reference. In its Answer, Verizon PA denied the allegations in the complaint, and noted that the complaint contains no allegations of wrongdoing or illegal conduct on the part of Verizon PA.

PRELIMINARY OBJECTIONS

3. The Commission's Rules of Administrative Practice and Procedure permit the filing of Preliminary Objections. 52 Pa. Code § 5.101. Specifically, 52 Pa. Code § 5.101(a)(4) permits a party to file a preliminary objection to a pleading that is legally insufficient.

4. In ruling on a preliminary objection, the Commission may not rely on the moving party's factual assertions but, rather, must accept as true all well-pleaded material facts of the other party, as well as every inference reasonably deducible from those facts. The motion is granted only if the moving party prevails as a matter of law. Commonwealth of Pa. v. The Bell Telephone Co. of Pa., 551 A.2d 602 (Pa. Commw. 1988).

5. A pleading is "legally insufficient" when, on the facts averred by the non-moving party, no recovery is possible. See *Limbach Company, LLC v. City of Philadelphia*, 2006 Pa. Commw. LEXIS 399, 12 (Pa. Cmwlth. 2006) (stating grounds for granting a demurrer).

6. The Formal Complaint filed at Docket No. C-20077467 is legally insufficient because it does not allege any wrongdoing or illegal conduct on the part of Verizon PA. Accordingly, no recovery or remedy against Verizon PA is possible.

7. Both the Pennsylvania Public Utility Code ("Code") and the Commission's regulations address the filing of complaints. The Code provides:

[t]he commission, or any person . . . having an interest in the subject matter . . . may complain in writing, setting forth any act or thing done or omitted to be done by any public utility in violation, or claimed violation, of any law which the commission has jurisdiction to administer, or of any regulation or order of the commission.

66 Pa. C.S.A. §701.

Similarly, the Commission's regulations provide:

A person complaining of an act done or omitted to be done by a person subject to the jurisdiction of the Commission, in violation, or claimed violation of a statute which the Commission has jurisdiction to administer, or of a regulation or order of the Commission, may file a formal complaint with the Commission.

52 Pa. Code §5.21(a).

8. Under both the Code and the Commission's regulations, a complaint must identify or allege acts or omissions on the part of the Respondent that constitute violations of a law over which the Commission has jurisdiction, or of Commission regulations or orders. Here, no such acts or omissions have been alleged in the complaint against Verizon PA and no such laws, regulations or orders have been identified. In fact, the complaint does not contain any allegations of wrongdoing or illegal conduct on the part of Verizon PA.

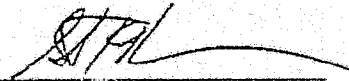
9. The Formal Complaint here alleges (1) that a company called ZPDI is blocking the Complainant's telephone number from receiving certain collect calls, and (2) that she is improperly being charged a \$5.00 "Bill Statement Fee" by a company called Value Added Comm.

10. As explained in Verizon PA's Answer and New Matter to the complaint, Verizon PA merely provides certain billing services to ZPDI. Verizon PA does not establish the charges or any other terms of service between ZPDI and its end user customers. Verizon PA has no role whatsoever in any aspect of the terms or conditions of service, including the rates charged or the specific services provided, between ZPDI and its customers.

11. Ms. Hallak is complaining about a collect call block that was imposed, as she admits, by ZPDI. She also complains about a fee imposed by Value Added Comm., which, as Ms. Hallak states, acts as an agent for ZPDI. Verizon PA has no role in the imposition of these charges, or the provision of the service or block at issue. In fact, there is no allegation in the complaint of any wrongdoing at all on the part of Verizon PA, or of any problems with the services that she does receive from Verizon PA. Since the complaint does not allege "an act done or omitted to be done by a person subject to the jurisdiction of the Commission (Verizon PA), in violation, or claimed violation of a statute which the Commission has jurisdiction to administer, or of a regulation or order of the Commission," it is legally insufficient as a complaint against Verizon PA and should be dismissed on that basis.

WHEREFORE, for the reasons set forth above, Verizon Pennsylvania Inc. respectfully requests that its Preliminary Objections be granted and that the Commission enter an order dismissing the Formal Complaint filed at Docket No. C-20077467 in its entirety.

Respectfully submitted,



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DATED: April 17, 2007


Counsel for Verizon Pennsylvania Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by First Class Mail:

Jeannette Hallak
584 Arbor Road
Morrisville, PA 19067



Steven K. Haas

Dated this 17th day of April, 2007.

2007 APR 17 PM 1:55
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
April 20, 2007

IN REPLY PLEASE
REFER TO OUR FILE

Re: C-20077467

(SEE ATTACHED LIST)

Jeannette Hallak v. Verizon Pennsylvania Inc.

Billing/service dispute

Motion Judge Assignment Notice

This is to inform you that a Preliminary objection was filed on the above-captioned case. This objection is being assigned to Chief Administrative Law Judge Veronica A. Smith for ruling. The Commission rule of practice at 52 Pa. Code §5.101 specifies that the person who filed the complaint has ten (10) days from the date the objection was served on you to file an answer.

If you file any pleading or document relating to this objection with the Secretary of the Commission, please provide a duplicate copy to the judge.

Procedural questions or comments should be directed to the judge at:

717-783-5452

pc: Special Agent Amanda Rumsey
Janean Spiegel
Beth Plantz
Docket Section

DOCUMENT
FOLDER

DOCKETED
APR 25 2007

BTL