

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Deanna Onufer

v.

T-Netix

:
:
:
:
:

C-20067074

ORDER DENYING RESPONDENT'S PRELIMINARY OBJECTION AND
SETTING THE MATTER FOR A HEARING

Before
Veronica A. Smith
Chief Administrative Law Judge

**DOCUMENT
FOLDER**

HISTORY OF THE PROCEEDING AND DISCUSSION

On November 9, 2006, Deanna Onufer (Ms. Onufer or Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against T-Netix (Respondent) alleging excessive charges and multiple dropped calls during the period of time she used Respondent's services. The Complaint was served on Respondent on November 16, 2006. On November 30, 2006, Respondent filed a Preliminary Objection seeking to dismiss the Complaint for insufficient specificity. Attached to Respondent's Preliminary Objection as Appendix A, Respondent provided a print-out of Ms. Onufer call history in order to assist her in the identification of specific calls.

On December 7, 2006, Complainant filed an Amended Complaint alleging that her calls were dropped 117 times by Respondent, and that for each of those times she had to pay an additional \$2.77 connection charge. On December 12, 2006, Respondent filed an Answer to Ms. Onufer's Amended Complaint.

Respondent not having filed a preliminary objection to Ms. Onufer's Amended Complaint, the Amended Complaint effectively cured the alleged deficiency of the Complaint, as originally filed. The objection raised in T-Netix first Preliminary Objection is therefore moot, and the matter shall be set for a hearing.

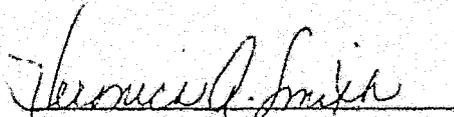
ORDER

THEREFORE,

IT IS ORDERED:

1. That the Preliminary Objection filed by T-Netix seeking dismissal of the Complaint filed by Deanna Onufer, at Docket No. C-20067074 is denied.
2. That this matter be set for hearing.

Date: January 9, 2007


Veronica A. Smith
Chief Administrative Law Judge



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
January 19, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20067074

(SEE ATTACHED LIST)

Deanna Onufer v. T-Netix, Inc.

Reliability, safety or quality dispute.

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

**DOCUMENT
FOLDER**

Type: Initial Telephonic Hearing
Date: Tuesday, February 20, 2007
Time: 10:00 a.m.
Presiding: Administrative Law Judge David Salapa
PO Box 3265
Harrisburg, PA 17105-3265
Phone: 717.783.5452
Fax: 717.787.0481

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

DOCKETED
JAN 30 2007

RECEIVED

JAN 24 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

At the above date and time, the Presiding Officer will contact the parties as follows:

Deanna Onufer	484.895.0244
David P. Zambito, Esquire	717.257.7526

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 5 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Salapa
Dawn Reitenbach
Beth Plantz
Docket Section
Calendar File