

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: 11/13/06
8. DOCKET NO: C-20067109	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PEGHER, KENNETH

RESPONDENT/APPLICANT: UNITED SYSTEMS ACCESS TELECOM

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 311133

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON HIS BILL.

DOCUMENT
FOLDER

DOCKETED
NOV 27 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Formal Complaint Form

Please print or type

20067109

1. CUSTOMER NAME (COMPLAINANT)

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

Name KENNETH PEGHER

Street/P.O. Box 2775 CHEECHVIEW AVE Apt #

City PITTSBURGH State PA Zip 15227

County ALLEGHENY

Area Code/HOME Phone 412-884-8291

Area Code/WORK Phone NONE

Utility Account Number (from your bill)

2006 NOV 13 AM 9:07

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: USA TELEPHONE

United Systems Access Telecom

3. TYPE OF UTILITY (check one)

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

20

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.

ON AUG, 15, 2006 I NOTIFIED THE TELEPHONE CO. I WAS SWITCHING TO COMCAST AND TO CUT OFF MY PHONE LINES. THEY CONTINUED TO BILL ME. ON 9/21/06 I SPOKE TO DALE & CHRIS. THEY ASSURED IT WOULD BE CORRECTED. ON 10/24/06 I SPOKE TO BECKY, SHE SAID IT WOULD BE CORRECTED AND REFUNDED.

5. RELIEF

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

I WOULD LIKE TO HAVE THE MONEY REFUNDED THEY CHARGED MY CREDIT CARD. THE CHARGES ARE AS FOLLOWS:

LINE #1 (412-884-8291)	
AUG 31, 2006	\$ 26.01
OCT 2, 2006	22.91
	<hr/>
	\$48.92

LINE #2 (412-884-2102)	
AUG 31, 2006	\$ 23.40
OCT 2, 2006	22.91
	<hr/>
	46.31

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 KENNETH PEEHER, 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).

Kenneth W. Peher
(Signature)

11-3-2006
(Date)



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: NOVEMBER 28, 2006

C-20067109

UNITED SYSTEMS ACCESS TELECOM, INC.
5 BRAGDON LANE
SUITE 200
KENNEBUNK ME 04043

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by KENNETH PEGHER. 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.

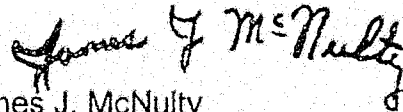
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

NOVEMBER 28, 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

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: NOVEMBER 28, 2006

KENNETH PEGHER
Complainant

v.

UNITED SYSTEMS ACCESS TELECOM,
INC.

Respondent

Complaint Docket
No: C-20067109

DOCUMENT
FOLDER
DOCKETED
NOV 27 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: UNITED SYSTEMS ACCESS TELECOM, 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).

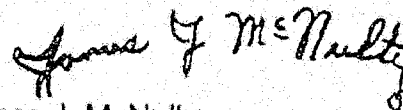
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

December 16, 2006

James J. McNulty
Secretary of the Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

Re: Complaint Docket No. C-20067109

Mr. McNulty,

My office was recently made aware of the complaint filed by Mr. Kenneth Pegher concerning his two former accounts with USA TELEPHONE. I have reviewed the accounts and come to the following conclusion.

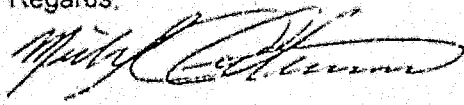
The customer claims that he switch his service on August 15, 2006. USA TELEPHONE has closed his account as of the date requested but the amount of the refunds will not match the requested amounts by the customer. The customer claims that the company owes him for invoices generated in August of 2006. USA TELEPHONE, like most traditional telephone companies, bills for service in arrears. As such, the invoices generated on both lines on August 28, 2006 were for service and usage through the disconnect date of August 15. As these invoices are for service and usage received by the customer the company is not inclined to refund those amounts.

As the company was not notified by the gaining carrier that the customer's lines had indeed moved, the accounts stayed open through another billing cycle. As a result the customer's credit card on file was subsequently charged for those billed amounts. We have credited Mr. Pegher's accounts for the amount that was debited from his credit card (\$30.51 for line 412-884-2102 and \$22.91 for 412-884-8291). These amounts will be applied to Mr. Pegher's credit card account within 5 business days.

We hope this settles the matter for Mr. Pegher. Unfortunately the full requested amount of the credit has not been given but two of the claimed amounts are for actual service received and usage.

Please feel free to contact my office if you have any further questions or concerns relating to this matter.

Regards,



Michael Carbonneau
Director of Operations
USA TELEPHONE

DOCKETED
DEC 22 2006

**DOCUMENT
FOLDER**

SECRETARY'S BUREAU

2006 DEC 22 AM 8:44

7-10-06

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