

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: July 2, 2018

Sharon Snyder
Complainant

v.

Complaint Docket No: C-2018-3003129

Windstream Communications, LLC
Respondent

NOTICE TO PLEAD

TO:

Sharon Snyder
533 Ringgold Timblin Road
Timblin, PA 15778

You are hereby notified that Windstream Services, LLC ("Windstream") has filed Preliminary Objections to the Formal Complaint filed in the above-captioned matter. Pursuant to 52 Pa. Code §5.101(b), you may submit a written answer to Preliminary Objections within ten (10) days from the service of this notice. If you do not file a written answer to the Preliminary Objections, the facts set forth by Windstream in the attached Preliminary Objections may be deemed to be true, thereby requiring no other proof and allowing the Administrative Law Judge to rule upon the Preliminary Objections. All pleadings, such as a written answer to the enclosed Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Windstream.

Respectfully submitted,



James Lloyd
Counsel
Windstream Communications, LLC

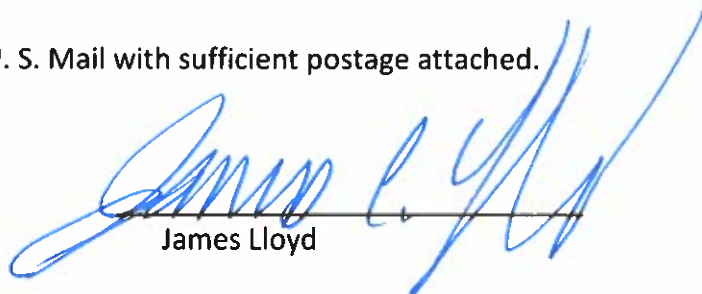
4001 N. Rodney Parham Road
Little Rock, Arkansas 72212
T: 501-748-4804
F: 501-748-6222
james.lloyd@Windstream.com

CERTIFICATE OF SERVICE

I hereby certify that I have this 10 day of July, 2018, served:

Sharon Snyder
533 Ringgold Timblin Road
Timblin, PA 15778

with the foregoing Answer by placing same in the U. S. Mail with sufficient postage attached.



James Lloyd

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PRELIMINARY OBJECTIONS OF WINDSTREAM

Pursuant to 52 Pa. Code § 5.101(a)(1), Windstream Services, LLC (“Windstream” or “Company”) hereby files with the Pennsylvania Public Utility Commission (“Commission”) these Preliminary Objections to the Formal Complaint of Sharon Snyder (“Complainant”) in the above-captioned docket. Windstream requests that the Formal Complaint be dismissed based upon the lack of Commission jurisdiction and/or legal insufficiency. In support of its preliminary objections, Windstream avers and represents as follows:

A. Background

1. On or about June 19, 2018, Complainant filed a Formal Complaint with the Commission.
2. The Formal Complaint fails to state a claim upon which the PSC may grant relief and doesn’t ask for any type of relief from Windstream. Further, the Formal Complaint is directly related to practices by Dish Network, a product for which Commission doesn’t have jurisdiction and for which Windstream doesn’t control.

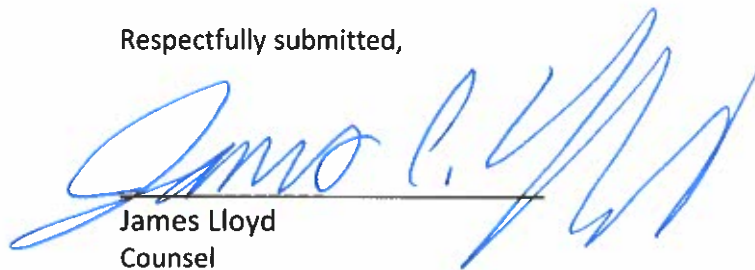
B. Standard for Preliminary Objections and Windstream’s Request

3. Preliminary Objections seeking dismissal may be filed in response to a pleading except motions and prior preliminary objections. 52 Pa. Code § 5.101(a)(1)

4. Preliminary Objections allowed by 52 Pa. Code § 5.101(a)(1) may be filed due to lack of Commission jurisdiction.
5. Windstream hereby files preliminary objections to the claim and requests that the Commission dismiss the Formal Complaint.

WHEREFORE, for all the reasons set forth above, Windstream respectfully requests that the Formal Complaint filed at Docket No. C-2018-3003129 be dismissed.

Respectfully submitted,



James Lloyd
Counsel
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