

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00  
2. BUREAU: ALJ  
3. SECTION(S):  
5. APPROVED BY:  
DIRECTOR:  
SUPERVISOR:  
6. PERSON IN CHARGE:  
8. DOCKET NO: F-00162260

4. PUBLIC MEETING DATE:  
00/00/00  
7. DATE FILED: 09/17/92  
9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: KACZMARCZYK, BRUCE

RESPONDENT/APPLICANT: LAKEWOOD TELEPHONE COMPANY

COMP/APP COUNTY:

UTILITY CODE: 311750

ALLEGATION OR SUBJECT

BILLING DISPUTE REGARDING THE 900 NUMBERS

DOCKETED

SEP 17 1992

DOCUMENT  
FOLDER

311750  
RECEIVED

FORMAL COMPLAINT

CS 0162260  
9/28/92

SEP 1

BEFORE

SECT. 71 PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

For Commission Use Only:  
 COMPLAINT DOCKET NO. F-00162260 REF. # CS 0162260 UTILITY CODE \_\_\_\_\_  
BRUCE KACZMARCZYK VS. LAKWOOD TELEPHONE CO.

PLEASE PRINT:

DOCUMENT FOLDER

1. YOUR NAME, ADDRESS AND TELEPHONE NUMBER.

Name Bruce KACZMARCZYK  
 Street RD # 2 Box 186 BARNESVILLE  
 City DRIER CITY State PA Zip 18214  
 County SETHONVILLE Home Telephone-Area Code (717) 467-3262  
 Work Telephone-Area Code (717) 467-3262

2. COMPANY YOU ARE COMPLAINING ABOUT.

Name LAKWOOD TELEPHONE

3. WHAT IS YOUR COMPLAINT (DESCRIBE PROBLEM).

It was about 900 calls which were on my phone bill. I wanted a block put on my phone for 900 no. But they said I couldn't get it put on because they wanted to sell me a voice box mail which I didn't want but felt because they were being nice about taking off the 900 calls which didn't know to be that high when I signed the paper I didn't know that the bills would be that outrageous because it take over a 3 month period to know your phone bill amount. I feel I was treated unfair because I wanted a 900 block on my phone (More Space On Back)

For Commission Use Only:  
 DATE FILED 9/17/92 MONITOR \_\_\_\_\_ BUREAU ALJ

And they said they couldn't do it because they were selling me a voice box mail which I didn't want. I kept insisting them to put a block for 900 no on my phone. I felt because they took off 900 no I should listen to them and take the voice box mailing which I didn't want but I felt obligated to do so. I wanted a 900 block put on my phone but they talk me into a voice box mail. I didn't know how high the phone bill was until 2 month later then I call the phone company up demanding a block on my phone. (If You Need More Space Attach Paper)

4. WHAT DO YOU WANT US TO DO?

I would like you to take off the 900 no from my phone bill because if they would of did that in the first place no one could of used my bussiness phone for those 900 no. and I wouldn't be in this situation of asking you to help me with this problem.

(If You Need More Space Attach Paper)

YOU MUST SIGN HERE

5. Bruce Karman  
Signature of complainant or attorney for corporate complainant

PUT TODAY'S DATE HERE

6. 9/19/92  
Today's Date

YOU DO NOT NEED A LAWYER If you DO have a lawyer PLEASE PRINT the lawyer's name, address and telephone number below.

7. Lawyer's Name CHARLES MILLER  
Street TRACKHOLE NICE ST  
City \_\_\_\_\_ State PA Zip 17931  
Telephone Number-Area Code ( 717 ) 874 - 1109



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

September 8, 1992

9/28  
IN REPLY PLEASE  
REFER TO OUR FILE

CS 0162260

BRUCE KACZMARCZYK  
R D #2 BOX 186  
BARNESVILLE PA 18214

This is to confirm that the Public Utility Commission has received your request for appeal of the Bureau of Consumer Services Decision. Enclosed are four complaint forms that must be completed. You can use the four forms supplied, filling them out exactly the same or you can file one original and three copies. **IT IS IMPORTANT THAT THE INSTRUCTIONS ARE READ BEFORE YOU COMPLETE THE FORMS. YOU MUST RETURN THESE FORMS TO THE COMMISSION ON OR BEFORE September 28, 1992.** THE COMPLETED AND SIGNED FORMS ARE TO BE RETURNED TO:

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

While your complaint is pending before the Commission, you must pay all undisputed bills. Undisputed bills are those parts of a bill that you did not claim were incorrect or for which you did not request payment arrangements. As long as you pay all undisputed bills, the company cannot terminate your service. If you do not return the forms on time as well as pay all undisputed bills, your service may be shut off by the company.

The company will receive a copy of this letter so that they will know that you have asked for a hearing. Remember, it is VERY important for you to:

1. Complete, sign, and date the four forms following all instructions.
2. Return the properly completed forms by the date shown above.
3. Pay all undisputed bills that you owe or receive from the company.

If you have any questions concerning the complaint process, please call the Bureau of Consumer Services office at 1-800-782-1110.

WAYNE DRISCOLL MANAGER  
LAKEWOOD TELEPHONE COMPANY  
BOX 212A  
BARNESVILLE PA 18214

Very truly yours,

*Janet E. Patrick*

Janet E. Patrick  
Supervisor  
Document Filing Section

cc: Lakewood Telephone company  
Consumer Services

016 2260

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

AUG 28 1992

reaked tele  
Tele

BUREAU OF CONSUMER SERVICES

My name is Bruce Kaymarczyk from  
RD # 2 Box 106 Barre, Pa 18214 717(467-3262)

And I'm writing to you about 900 no  
which appear on my phone bill. Which  
were and outrageous amount. My phone  
company said they would take off the  
900 no. and then insisted that I should  
buy a voice box mailing. I told them  
I wanted a 900 block put on my phone  
they said they couldn't do that because  
they insisted I buy the voice box mailing.  
I felt obligated to buy the voice box mail  
because they took off the 900 no. but I  
still wanted a 900 block put on my  
phone because it is a business phone  
where other people can use. I kept on insisted  
to put a block on my phone but they said  
I couldn't have it done with the mail  
voice box that they were selling me. I really  
try to get a 900 block on my phone.

I just felt obligated to them because they took off the first 900 no. for me. I feel I was treated unfairly by my phone company, which is Lakewood Bell.

Thank you for your time and I feel I was put in a situation I didn't ask for and which could of been avoid if they would put the block on my phone instead of selling me a house for instead.

Thank you again

Sanet,

This is an appeal.

BCS 0162260

Lakewood tele

Pat  
BCS

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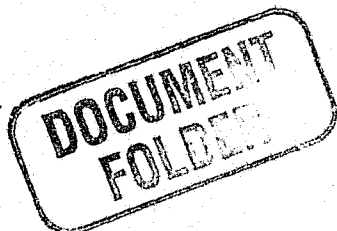
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

September 22, 1992

IN REPLY PLEASE  
REFER TO OUR FILE

F-00162260

WAYNE DRISCOLL MANAGER  
LAKEWOOD TELEPHONE COMPANY  
BOX 212 A  
BARNESVILLE PA 18214



RLS

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Bruce Kaczmarczyk (the complaining party)

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 JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

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.

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, Pennsylvania 17108  
(800) 692-7375

Very truly yours,

John G. Alford  
Secretary

Attachment

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

September 22, 1992

<u>Bruce Kacmarczyk</u>	:	
	:	
v.	:	Complaint Docket
	:	No. <u>E-00162260</u>
<u>Lakewood Telephone Company</u>	:	

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FORMAL COMPLAINT  
NOTICE TO RESPONDENT  
TO ANSWER OR SATISFY

---

DOCKETED  
SEP 24 1992

TO: Wayne Driscoll, Manager

DOCUME.  
FOLDER

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. §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 17120, an answer (original and two copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code §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 §1.56(a).

2. If you fail to either satisfy this complaint or to file an 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

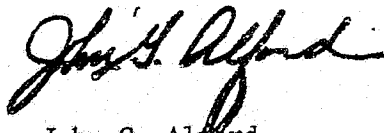
Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code §5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §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. §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. §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 this 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. §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 hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



John G. Alford  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

ORIGINAL

James P. Melia (717) 238-2900

AMH

RECEIVED

OCT 09 1992

October 9, 1992

Public Utility Commission  
SECRETARY'S BUREAU  
Information Control Division

John Alford, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

BRUCE KACZMARCZYK v. LAKEWOOD TELEPHONE COMPANY  
COMPLAINT DOCKET NO. F-00162260

Dear Secretary Alford:

Enclosed please find for filing with the Commission an original and two conformed copies of Respondent, Lakewood Telephone Company's Answer and Motion for Summary Judgment or alternatively, Motion to Dismiss in the above matter.

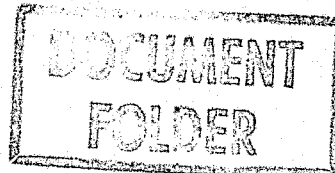
Very truly yours,

TUCKER ARENSBERG, P.C.

*James P. Melia*  
James P. Melia

JPM:tlh  
Enclosures

cc: Bruce Kaczmarczyk



IN THE COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

OCT 3 1992

SECRETARYS OFFICE  
Public Utility Commission

BRUCE KACZMARCZYK,  
Complainant

v.

LAKWOOD TELEPHONE COMPANY,  
Respondent

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:  
:  
:

Docket No. F-00162260

DOCKETED

OCT 27 1992

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ANSWER OF THE RESPONDENT,  
LAKWOOD TELEPHONE COMPANY

---

Respondent, Lakewood Telephone Company ("Lakewood"), by its counsel, Tucker Arensberg, P.C., answers the Complaint of Bruce Kaczmarczyk ("Complainant") as follows:

1. Admitted.
2. Admitted. Respondent is the Lakewood Telephone Company.
3. Admitted in part and denied in part. It is admitted that the subject matter of this Complaint relates to Complainant's outstanding liability to Lakewood for charges incurred in the use of "900" telephone service. It is denied that Complainant initially requested that a block be put on his telephone for "900" numbers. Further answering, Lakewood initially suggested that a "900" block be placed on Complainant's telephone in response to Complainant's concerns over the magnitude and cost of certain "900" telephone calls incurred by Complainant prior to March 24, 1992. Further, Complainant agreed in writing, on March 25, 1992, to go on "900" number block in consideration for Lakewood's forgiveness of \$1,551.09 worth of "900" calls. (See Attachment A).

DOCUMENT  
FOLDER

It is further denied that Lakewood "wanted to sell voice box mail" to Complainant. Complainant requested the installation of the voice box mail feature on March 26, 1992 and was advised that Lakewood could not then continue to offer "900" block. Lakewood's central office switch will not permit the offering of both services simultaneously. At that time, Complainant voluntarily signed a form indicating that, in resigning "900" number block, he agreed to be responsible for all "900" calls made after March 24, 1992. (See Attachment B). Subsequently, on April 9, 1992, Complainant was again put on "900" number block and voice box mail was removed with Complainant's consent. Complainant's return to "900" number block was the result of Lakewood's discovery of an additional \$7,596.30 worth of "900" number calls appearing on Complainant's April 5, 1992 billing but occurring before March 24, 1992. These charges were also forgiven. Complainant returned to the business office on May 20, 1992 with his May 5, 1992 telephone bill showing "900" number calls totaling \$4,368.74 made prior to March 24, 1992. Lakewood likewise removed these calls per its prior conversation with Complainant of March 25, 1992. Most recently, Complainant seeks removal of charges in the amount of \$5,557.05. Of this amount, \$2,067.02 represented "900" number charges incurred prior to March 24, 1992 and Lakewood has likewise forgiven this amount. The remainder, or \$3,490.03, represents "900" number charges incurred by Complainant after March 24, 1992. To date, Lakewood has, in good faith, removed a total of \$15,583 of "900" number calls from Complainant's bill incurred prior to March 24, 1992.

4. Section 4 of the Complaint is a request for relief not subject to admission or denial.

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OCT 9 1992

NEW MATTER

SECRETARYS OFFICE  
Public Utility Commission

Pursuant to 52 Pa. Code Section 5.62(b), Respondent Lakewood avers as follows:

5. The averments set forth in Paragraphs 1 through 4, above, are incorporated herein by reference as if set forth at length.

6. Complainant is the billing responsible party of Lakewood residential telephone service account number (717) 467-3262.

7. As of Complainant's June 5, 1992 bill, Complainant had made calls in the amount of \$3,490.03 between March 26, 1992 and April 9, 1992. On July 10, 1992, Lakewood sent Complainant a dispute form and his account was considered in dispute after a customer contact on July 10, 1992.

8. Lakewood has attempted, in good faith, to enter into reasonable payment arrangements with Complainant. Further, Complainant filed an informal complaint against Lakewood with the Commission's Bureau of Consumer Services ("BCS").

9. On August 21, 1992, the BCS issued the results of its investigation of Complainant's informal complaint and found as follows:

- (i) That Complainant was given full adjustment for "900" charges made prior to March 24, 1992 in the amount of \$13,500.
- (ii) That on March 24, 1992, Complainant signed a form accepting responsibility for "900" charges as of that date as Complainant desired voice box mail added to his line. This feature cannot be added to the line when a

"900" block is on the line.

- (iii) The "900" number calls made after March 24, 1992 are to the same "900" numbers as were placed prior to that date.

Thus, the BCS determined that it would not request removal of the "900" charges from Complainant's account and that Lakewood could pursue collection of these charges. (See Attachment C).

10. Lakewood avers that Complainant has failed to make payment of charges incurred subsequent to March 24, 1992 for "900" services utilized. Further, the amount owed is not in dispute.

11. Lakewood has at all times furnished and maintained adequate, efficient, safe and reasonable service and facilities to Complainant pursuant to 66 Pa. C.S.A. § 1501 and has, in all other respects, satisfied the requirements of the Public Utility Code.

**WHEREFORE**, Lakewood Telephone Company respectfully requests that the instant Complaint be dismissed and that an Order be entered compelling Complainant to tender payment in the amount of \$3,490.03 within thirty (30) days and allowing Lakewood to suspend all services to Complainant, following procedures set forth at 52 Pa. Code § 64.81, in the event the Complainant fails to fully comply with said Order. Alternatively, in the event that Complainant demonstrates that payment arrangements are warranted and that he has the ability and intention to comply with said arrangements, Lakewood requests that an Order be entered setting forth an arrangement at which Complainant is required to pay all amounts owed as they become due together with reasonable monthly amounts toward the satisfaction of Complainant's outstanding charge

for "900" services rendered. Lakewood further requests that Complainant be directed to pay all undisputed current charges as they become due pending resolution of this dispute and that a telephonic hearing be scheduled.

Respectfully submitted,

*James P. Melia*

JAMES P. MELIA  
TUCKER ARENSBERG, P.C.  
116 Pine Street, Suite 403  
Harrisburg, PA 17101  
(717) 238-2900

DATED: October 9, 1992

Attorney for LAKEWOOD  
TELEPHONE COMPANY

RECEIVED  
OCT 9 1992  
REGISTRARS OFFICE  
HARRISBURG, PA

AFFIDAVIT

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OCT 9 1992  
SECRETARYS OFFICE  
Public Utility Commission

COMMONWEALTH OF PENNSYLVANIA

:

:

SS

COUNTY OF DAUPHIN

:

Jessica A. Stone Walmer, being duly sworn according to law, deposes and says that she is Accounting Manager for the Lakewood Telephone Company; and further avers as follows:

1. On March 25, 1992, Mr. Bruce Kaczmarczyk came to the Lakewood Telephone Company business office with a telephone bill, Account Number 717-467-3262, with \$1,551.09 worth of "900" number calls. Mr. Kaczmarczyk contended that he made these calls but did not realize that they were so expensive or he would not have called them.

2. Mr. Kaczmarczyk was placed on "900" number block and the \$1,551.09 of "900" calls were removed from his bill per Lakewood's policy of "one-time forgiveness" of "900" number calls.

3. On March 26, 1992, Mr. Kaczmarczyk was removed from "900" number block because he desired addition of the voice mail system feature to his telephone. Mr. Kaczmarczyk signed a form stating that he would be responsible for all "900" calls made after March 24, 1992. (See Attachment B to Lakewood's Answer).

4. On April 9, 1992, Lakewood discovered an additional \$7,596.30 worth of "900" number calls made prior to March 24, 1992. Mr. Kaczmarczyk was contacted by Lakewood about these charges, was returned to "900" number block and these additional charges were removed pursuant to prior agreement.


5. Mr. Kaczmarczyk additionally contacted Lakewood on May 20, 1992 with regard to \$4,368.74 of "900" number calls appearing on his May 5, 1992 bill. Lakewood again removed these calls per its prior agreement of March 25, 1992 with the customer. Lakewood also removed an additional \$2,067.02 of "900" number calls on September 2, 1992 associated with the March 25, 1992 agreement.

6. Mr. Kaczmarczyk contacted Lakewood's business office on June 19, 1992 regarding his June 5, 1992 billing seeking removal of an additional \$3,490.03 of "900" number calls made between March 26, 1992 and April 9, 1992.

7. On July 10, 1992, Lakewood sent Mr. Kaczmarczyk a dispute form and his account was considered in dispute after customer contact on that date.

8. Mr. Kaczmarczyk filed an informal complaint with the Public Utility Commission, Bureau of Consumer Services, on July 17, 1992. Upon investigation, the Bureau of Consumer Services, in its written decision dated August 21, 1992, contacted Lakewood and indicated that it would not request removal of the "900" charges in the amount of \$3,490.03 incurred after March 24, 1992. (See Attachment C to Lakewood's Answer). Further, Lakewood Telephone could now pursue collection of these charges.

9. Affiant being duly sworn according to law, deposes and says that she is authorized to, and does make this Affidavit for the Lakewood Telephone Company and that the facts set forth in this Affidavit, as well as the Answer and New Matter, are true and correct and she expects Lakewood Telephone Company to be able to prove same at any hearing hereof.

  
\_\_\_\_\_  
JESSICA A. STONE WALMER

SWORN TO AND SUBSCRIBED

BEFORE ME THIS 8 DAY

OF October, 1992

  
\_\_\_\_\_  
NOTARY PUBLIC

Notary Public  
Judith A. Sanchez, Notary Public  
Ryan Twp., Schuylkill County  
My Commission Expires Aug. 28, 1993

Member, Pennsylvania Association of Notaries



# Lakewood Telephone

a RochesterTel company

I/WE AUTHORIZE LAKEWOOD TELEPHONE COMPANY TO PLACE A 900 NUMBER BLOCK ON  
MY/OUR PHONE NUMBER 467- 3262 IN THE NAME OF Bruce Kaczmarek.

I/WE DO NOT WANT THE CAPABILITY OF MAKING ANY 900 NUMBER CALLS ON MY/OUR  
PHONE SERVICE.

Bruce A Kaczmarek  
APPLICANT

\_\_\_\_\_  
CO-APPLICANT

3/25/92  
DATE

I/WE UNDERSTAND THAT THIS IS A FREE OFFER THE FIRST TIME IT IS CONNECTED.



# Lakewood Telephone

a RochesterTel company

I, BRUCE KACZMARCZYK, AGREE TO HAVE 900 NUMBER BLOCK REMOVED SO THAT I MAY HAVE CALL FORWARDING ADDED TO MY PHONE #467-3262. I AGREE TO MONITOR MY OWN 900 NUMBER CALLS, IF ANY, AS OF MARCH 24, 1992. ANY 900 NUMBER CALLS BEFORE MARCH 24, 1992 WILL BE REMOVED FROM MY BILL AS A ONE TIME FORGIVENESS (LAKEWOOD TELEPHONE COMPANY POLICY ON 900 NUMBER CALLS).

*Bruce A Kaczmarczyk*  
\_\_\_\_\_  
BRUCE KACZMARCZYK

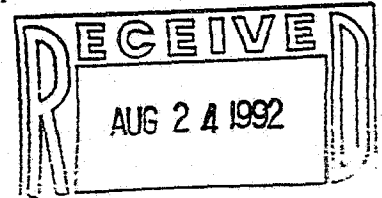
*Deborah L Bamford*  
\_\_\_\_\_  
DEBORAH L. BAMFORD  
LAKEWOOD TELEPHONE COMPANY REPRESENTATIVE

*March 26, 1992*  
\_\_\_\_\_  
DATE

*Customer consented  
to 900 block @ 4:05pm  
on 4/9/92  
JAW  
Account Mgr*

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

August 21, 1992



BRUCE KACZMARCZYK  
R D 2 BOX 186  
BARNESVILLE PA 18214

Dear Mr. Kaczmarczyk:

The Bureau of Consumer Services has investigated your dispute of 900 number charges.

The information provided to the Commission by Lakewood Telephone Co. indicates the following:

- (1) That you were given a full adjustment for 900 charges made prior to March 24, 1992 (\$13,500).
- (2) That on March 24, 1992 you signed a form accepting responsibility for 900 charges as of that date as you wanted answer call which cannot be added to the line when a 900 block is on the line.
- (3) The 900 number calls made after March 24, 1992 were to the same 900 numbers as were placed prior to that date.

Therefore, based on the above information this letter is to inform you that the Bureau of Consumer Services will not request removal of these 900 charges from your account. Lakewood Telephone may pursue collection of these charges.

If you do not agree with this information, you have the right to file a formal complaint by writing to Secretary, PA Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

Sincerely,

Peggy A. Hartman  
Telephone Complaint Investigator  
Bureau of Consumer Services

cc: Lakewood Telephone Co.

IN THE COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRUCE KACZMARCZYK,  
Complainant

v.

LAKWOOD TELEPHONE COMPANY,  
Respondent

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Docket No. F-00162260

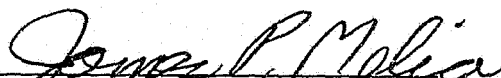
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CERTIFICATE OF SERVICE

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I hereby certify that this 9th day of October, 1992, I have served a true and correct copy of the foregoing document upon the person(s) set forth below by first class mail, postage prepaid, (unless service is otherwise indicated) in accordance with the requirements of 52 Pa. Code Sections 1.54 and 1.55:

Bruce Kaczmarczyk  
R.D. 2  
Box 186 Barnesville  
Grier City, PA 18214

  
JAMES P. MELIA  
TUCKER ARENSBERG, P.C.  
116 Pine Street, Suite 403  
Harrisburg, PA 17101

Attorney for LAKEWOOD  
TELEPHONE COMPANY





basis. Lakewood contends that summary judgment in Lakewood's favor, or alternatively dismissal, is appropriate under the circumstances because, even if all of Complainant's allegations are taken to be true, Complainant is not entitled to relief.

4. Complainant does not contest his liability for "900" calls made subsequent to March 24, 1992. (See Affidavit to Lakewood's Answer).

5. A "900" number block was placed on Complainant's line on March 24, 1992. On March 26, 1992, the "900" number block was removed to allow addition of a voice mail feature to Complainant's line. At that time, Complainant signed a form agreeing to be liable for any "900" calls incurred by him after March 24, 1992. (See Attachment B to Lakewood's Answer). Even if Complainant's allegations, as contained in his Complaint, are taken to be true, Complainant has clearly agreed to be liable for all "900" number calls incurred subsequent to March 24, 1992.

6. Upon resolution of an informal Complaint filed by Complainant with the Commission's Bureau of Consumer Services, it was found that Complainant was indeed liable for "900" charges incurred after March 24, 1992 (currently \$3,490.03) and that Lakewood was entitled to begin collection procedures. (See Attachment C to Lakewood's Answer).

WHEREFORE, for all the foregoing reasons, Lakewood respectfully requests that its Motion for Summary Judgment or

alternatively, its Motion to Dismiss be granted.

Respectfully submitted,



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DATED: October 9, 1992

Attorneys for LAKEWOOD  
TELEPHONE COMPANY

IN THE COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRUCE KACZMARCZYK,  
Complainant

v.

LAKWOOD TELEPHONE COMPANY,  
Respondent

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Docket No. F-00162260

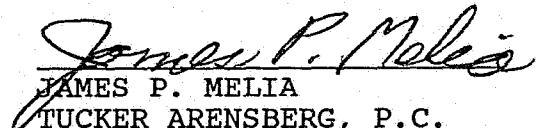
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CERTIFICATE OF SERVICE

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I hereby certify that this 9th day of October, 1992, I have served a true and correct copy of the foregoing document upon the person(s) set forth below by first class mail, postage prepaid, (unless service is otherwise indicated) in accordance with the requirements of 52 Pa. Code Sections 1.54 and 1.55:

Bruce Kaczmarczyk  
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