**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Harrisburg, Pennsylvania 17105-3265**

**Aretta M. Greenawald Public Meeting- December 3, 2009**

 **v. 2051784-ALJ**

**Verizon Pennsylvania Inc. Docket No. F-2008-2051784**

**MOTION OF VICE CHAIRMAN TYRONE J. CHRISTY**

 Before us today for consideration is the Initial Decision (I.D.) of Administrative Law Judge (ALJ) Robert P. Meehan that dismisses the complaint filed by Aretta M. Greenawald (Complainant) in which she states that she was charged by Verizon Pennsylvania Inc. (Verizon or Company) for recurring directory assistance calls over two years. In her complaint before this Commission, Ms. Greenawald testified that she did not make the directory assistance calls for which she was charged. In fact, Ms. Greenawald testified that she was billed for directory assistance calls on a recurring basis from September 2006 until February 2009 when the Complainant switched telephone service providers. Over this period of time, the record shows that Ms. Greenawald contacted Verizon on several occasions and the Company investigated what potential problems might be causing the situation. Verizon indicated that the Company did not find any problems with its facilities or lines from the central office to the customer’s network interface device that might be the source of the Complainant being billed for directory assistance calls that she did not make. I.D. 3-4; Tr. 24-26. On several occasions, Verizon credited the customer’s account totaling $50.95 for the disputed charges of $69.95. I.D. 5; Tr. 38. In addition, Verizon credited the customer’s account in the amount of $75.00 to cover the cost of a new cordless phone purchased by the Complainant in the event that the cordless phone was causing the problem. *Id.*; Tr. 35.

 In the Initial Decision before us, the ALJ dismissed Ms. Greenawald’s complaint because she failed to satisfy the burden of proof as required by section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a). Because Ms. Greenawald switched telecommunications providers and is no longer a Verizon customer, I will agree with the ALJ’s conclusion to dismiss this particular matter. However, given the nature and duration of the repeated and contested directory assistance charges, and the fact that the reason for these charges appearing on the Complainant’s bill remains unknown, I believe further Commission action is warranted.

Prior to leaving Verizon’s system for another telecommunications provider, the Complainant spent significant time and effort in her attempt to have the contested directory assistance charges removed from her bill. She also was required to spend an enormous amount of effort and experienced much inconvenience in her attempts to resolve the underlying problem. Ms. Greenawald is not alone in her allegation that unexplained directory assistance charges were appearing on her bill. According to our Bureau of Consumer Services (BCS), approximately 177 informal complaints have been filed regarding directory assistance calls in the past 15 months.

Based on the evidence presented in the Greenawald case and the number of pending informal complaints concerning this issue, I believe further Commission action is warranted and staff should be directed to examine this issue in further detail. In doing so, I believe that the issue of contested directory assistance charges should be referred to the Commission’s Law Bureau in conjunction with BCS for further investigation. The purpose of the investigation is to determine whether, based on staff’s investigation results, any changes in procedures or other remedial measures are warranted. In addition, the Law Bureau Prosecutory Staff, in conjunction with BCS, can exercise its discretion to avail itself of any Commission technical resources and to investigate any systems regarding Verizon’s operations that may be suspected of causing the alleged directory assistance mischarges.

**THEREFORE I MOVE:**

1. That the Initial Decision of Administrative Law Judge Robert P. Meehan is adopted consistent with this Motion.
2. That the Commission’s Law Bureau, in conjunction with the Bureau of Consumer Services, shall investigate the billing of directory assistance calls by Verizon Pennsylvania Inc. to ensure that they conform with the Public Utility Code, 66 Pa. C.S. §§ 101, *et. seq.* , and the Commission’s regulations, 52 Pa. Code §§ 1.1, *et. seq.*
3. That the Commission’s Law Bureau, in conjunction with the Bureau of Consumer Services, conclude the investigation within 6 months of the entry date of this Order and report its findings to the Commission.
4. That the Office of Special Assistants prepare an Opinion and Order consistent with this motion.
5. That the Formal Complaint filed by Aretta M Greenawald be dismissed with prejudice.
6. That the Commission’s Secretary shall mark this docket as closed.

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**DATE VICE CHAIRMAN TYRONE J. CHRISTY**