

**Complaint #84316**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Mr's service was disconnected 3 days ago without notice. Mr said he called Tel West and he was told he missed a \$12.00 payment in May. However, Mr paid his bill in full on June 5. Mr does not understand why he was disconnected and he says he did not receive notice. Please provide bill history for this WTAP customer beginning April 2003 along with the disconnect notices and telephone attempts made to this customer prior to disconnecting his service.

12:00)passed complaint to Chris Sturgel/Don Taylor @ Tel West via email.

Activity 07/22/2003 12:14 PM Email: Sheri Hoyt >> Chris Sturgel/Don Taylor

This complaint was passed on July 10, 2003. As this is a service affecting complaint, per WAC 480-120-166(6), Tel West's response was due within two business days -- by July 15. I will be citing a violation each day that it is not received beginning tomorrow morning at 8:00 a.m. Please provide Tel West's response to this complaint.

Activity 07/22/2003 12:15 PM Email: Sheri Hoyt << Chris Sturgul

I will be out of the office from July 16, 2003 and returning on July 31, 2003. If your message is urgent and involves LEC issues please contact Mat Myers at mmeyers@telwestcommunications. I will respond to all other messages on my return.

Activity 07/22/2003 12:36 PM Email: Sheri Hoyt >> Mat Myers

Sent complete complaint to Mat Myers at mmeyers@telwestcommunications.

Activity 07/22/2003 12:46 PM Email: Sheri Hoyt << DON TAYLOR

I thought Chris Sturgul responded to this complaint before he left on vacation, but apparently he did not. I will contact Tel West and get a response to you today.

Activity 07/22/2003 12:48 PM Email: Sheri Hoyt >> Don Taylor

Thanks Don, I appreciate that. I double checked my e-files and couldn't find a response from Chris.

Activity 07/22/2003 03:50 PM Email: Sheri Hoyt << DON TAYLOR

I have consulted with Tel West regarding Complaint 84316, *Identifying information withheld at customer's request*. Tel West acknowledges that this customer was accidentally disconnected early, and apologizes. Tel West will refund any money paid by the customer, or credit his account for any amount billed but not received, for service prior to 7/18/03, which was the date disconnection should have occurred. This customer was part of the group of WTAP customers who received notice on 6/18/03 of Tel West's intention to cease provision of service to them on 7/18/03, and his disconnect order should have been worked at the same time as the rest of them. Please let me know if we need to discuss further.

Activity 07/23/2003 09:27 AM Email: Sheri Hoyt >> Don Taylor

Thank you for your reply. I will be citing one violation of WAC 480-120-172 as Tel West disconnected the customer on July 7 when his notice stated the date would be July 18. I'll contact the customer and get back to you to close.

Activity 08/08/2003 10:11 AM Email: Sheri Hoyt >> Don Taylor

As you were the one who responded on this complaint, I am following up with you as to whether this

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customer received a refund for services that he prepaid for but didn't receive.

Activity 08/08/2003 10:21 AM Email: Sheri Hoyt << DON TAYLOR  
I will inquire and let you know.

Activity 08/08/2003 10:52 AM Email: Sheri Hoyt << DON TAYLOR

I am attaching the Tel West Transaction Record for *Identifying information withheld at customer's request*, Complaint No. 84316. Even though the customer was disconnected on 7/7/03 before the disconnect date on the notice he received on 6/18/03 as part of the WTAP disconnection project, which Tel West regrets, the customer still has a balance owing to Tel West of \$32.96, as the attached record shows. There is therefore nothing to refund to the customer, as he did not pay for any service not received.

Tel West Transaction Record For: *Identifying information withheld at customer's request*:

Tran#	Date-Agent	Description	InvID-Mthd	Amount	Balance
571393	Nov 5 2002 3:34PM				
	WATAP	Start: Nov 8 2002			
		End: Dec 7 2002	Nov 5 2002		
		Dec 4 2002	\$4.00	\$4.00	
563152					
RCPT POS	Nov 5 2002 4:58PM				
	WATAP	17020			
		WebSite	\$0.00	\$4.00	
577773	Nov 12 2002 11:02PM				
	WATAP	Start: Dec 8 2002			
		End: Jan 7 2003	Dec 8 2002		
		Jan 7 2003	\$4.00	\$8.00	
584751					
RCPT POS	Dec 9 2002 1:41PM				
	TEL WEST Communications LLC	mo #2653		18014	
	Mail	(\$8.00)	\$0.00		
598471	Dec 13 2002 11:02PM				
	WATAP	Start: Jan 8 2003			
		End: Feb 7 2003	Jan 8 2003		
		Feb 7 2003	\$14.00	\$14.00	
607502					
RCPT POS	Jan 14 2003 11:04AM				
	TEL WEST Communications LLC	mo 8378		19188	
	Mail	(\$14.00)	\$0.00		
621804	Jan 23 2003 7:54AM				
	WATAP	Start: Feb 8 2003			
		End: Mar 7 2003	Feb 8 2003		
		Mar 7 2003	\$14.00	\$14.00	
641517	Feb 10 2003 11:02PM				
	WATAP	Start: Mar 8 2003			
		End: Apr 7 2003	Mar 8 2003		
		Apr 7 2003	\$18.99	\$32.99	
649296					
RCPT POS	Mar 11 2003 10:26AM				
	TEL WEST Communications LLC	mo 9076		21057	

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		Mail	(\$13.00)	\$19.99					
671929	Mar 18 2003 11:04PM								
	WATAP	Start:	Apr 8 2003						
		End:	May 7 2003	Apr 8 2003					
			May 7 2003	\$18.99	\$38.98				
672024									
RCPT POS	Apr 14 2003 3:40PM								
	TEL WEST Communications LLC	CH 1004			22161				
		Mail	(\$28.98)	\$10.00					
696847	Apr 17 2003 10:49PM								
	WATAP	Start:	May 8 2003						
		End:	Jun 7 2003	May 8 2003					
			Jun 7 2003	\$22.98	\$32.98				
688916									
RCPT POS	May 12 2003 11:11AM								
	TEL WEST Communications LLC	6984 MO			23024				
		Mail	(\$23.00)	\$9.98					
721736	May 18 2003 10:26PM								
	WATAP	Start:	Jun 8 2003						
		End:	Jul 7 2003	Jun 8 2003					
			Jul 7 2003	\$22.98	\$32.96				
	Jul 7 2003 12:00AM	Disconnect	Silvia Hunt	\$0.00	\$32.96	\$32.96			

Customer Disconnected on 7/7/2003.

Activity 08/08/2003 11:46 AM Email: Sheri Hoyt >> Don Taylor  
I'll notify the customer on Monday that he still owes a balance to Tel West for service. I'll get back to you to close.

Activity 08/11/2003 09:00 AM Phone: Sheri Hoyt >> Mr  
Left message with Joellen for Mr to return my call.

Activity 08/18/2003 11:10 AM Action: Sheri Hoyt  
Customer has not returned my call. This complaint is being closed without further contact with the customer.

Activity 08/18/2003 11:11 AM Email: Sheri Hoyt >> Don Taylor  
The customer has not returned my call to discuss the outcome of my investigation. Therefore, I am closing this complaint. Should the customer contact me, he will be informed of the balance owed to Tel West. You may close.

**Complaint #84496**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Disputing \$8. Believes company should owe her a total of about \$12. Company is only providing refund check for about \$5.

- Paid through September 2003.
- Switched back to Qwest on 7/8/03.

Activity 07/17/2003 10:16 AM Action: Roger Kouchi

This is response from Chris Sturgul:

I checked on the status of this account. Ms. *Identifying information withheld at customer's request* requested a line freeze removal on 07/01/03 we placed order R23362984 with DD of 07/02/03. Qwest confirmed that the order competed and the account was migrated to another carrier on 07/08/03. I have adjusted the account to reflect that change. The credit amount owed to her is \$5.38.

We had not received a request for a refund from this customer as of to day, I will use your email as that request on her behalf and have a refund sent out to her this usually takes 2-3 weeks. This will be mailed out to her billing address.

Activity 07/17/2003 10:18 AM Email: Roger Kouchi >> Mat Meyers

Mat Meyers - Please respond to this complaint. Thank you.

Activity 07/25/2003 04:41 PM Email: Roger Kouchi >> mat meyers

Mat Meyers - Please get back to me regarding this complaint. Thank you.

Activity 08/01/2003 12:55 PM Email: Roger Kouchi >> mat myers

Mat Meyers - Please get back to me regarding this complaint. Thank you.

Activity 08/07/2003 10:12 AM Email: Roger Kouchi << Chris Sturgul

((see paper files for account spreadsheet)))

I'm not sure if Mat got back to you on this one. I've looked at the account and I'm copying the statement history to this email. As you can see on 04/04/03 Ms. *Identifying information withheld at customer's request* made payment of \$20.00, this paid for her April 10-May9 service and left a credit balance of 16.00. Her next two bills plus the disconnect from us on July 8 left her a pro-rated credit of \$5.38

Activity 08/15/2003 11:16 AM Voice Mail: Roger Kouchi << consumer

Does not believe Tele West refunded her proper amount. Only refunded \$5.38.

Amount should be over \$8. Believes this has something to do with the rate increases in February 2003??

Activity 08/18/2003 01:17 PM Voice Mail: Roger Kouchi >> chris sturgul

LWTC on VM to discuss account spreadsheet.

Activity 09/05/2003 09:11 AM Email: Roger Kouchi >> chris sturgul

Chris Sturgul - It appears from the Customer Account history that this consumer only paid \$36 since the account was established in December 10, 2002. Please confirm my understanding. Thank you.

Activity 09/11/2003 01:09 PM Email: Roger Kouchi << chris sturgul

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That Is correct. She has only paid \$36.00

Activity 09/15/2003 03:35 PM Email: Roger Kouchi >> chris sturgul

Chris Sturgul - Was the account established on 12/10/02? I need to relook the math.

Seems as if the consumer was with Tel West for a total of 6 months at \$4 per month = \$24. Consumer paid \$36 (minus \$24) = \$12 refund. Please confirm my math or show me where I went wrong. Thanks.

Activity 09/15/2003 04:12 PM Email: Roger Kouchi << chris sturgul

This should help. The customer's bill was \$4.00 plus all applicable taxes and surcharges the total came to \$5.38 per month. The customer had six bills at \$5.38 and one prorated bill at \$5.24. The total for this is \$37.52 minus the \$36.00 that the customer paid it leaves a \$1.52 owing balance. I made a mistake and issued a refund check for \$5.38. That is why the account looks as though she owes \$6.90. (((see paper files for billing and payment history)))

Activity 09/17/2003 02:11 PM Letter: Roger Kouchi >> consumer

I have completed my investigation into your complaint with Tel West regarding a billing issue. You state that the company owes to a total of about \$12 and they only refunded \$5.38. I am providing a copy fo the billing/payment history on your account. Your monthly bill came to \$5.38 per month (i.e., \$4.00 plus taxes and fees). You were billed for a total of seven months (six months at \$5.38 and the seventh month was prorated at \$5.24). The total for the seven months of service came to \$37.52. You paid \$36. The remaining balance should have been \$1.52. The company made a mistake and mailed a check out for \$5.38. Please feel free to contact me if you have questions. Thank you.

Activity 09/26/2003 01:19 PM Action: Roger Kouchi

No response from the consumer. Complaint closed.

Activity 09/26/2003 01:20 PM Email: Roger Kouchi >> chris sturgul

Chris Sturgul - Complaint closed.

Activity 10/02/2003 01:24 PM Email: Roger Kouchi >> chris sturgul

Chris Sturgul - WAC 480-120-147(5) requires documentation of a PIC freeze on a consumer's account. Please provide the required documentation (i.e., LOA, 3rd party verification, or electronic verification). Thank you.

WAC 480-120-147

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(a) All LECs must notify all customers of the availability of a preferred carrier freeze, no later than the customer's first telephone bill, and once per year must notify all local exchange service customers of such availability on an individual customer basis (e.g., bill insert, bill message, or direct mailing).

(b) All carrier-provided solicitation and other materials regarding freezes must include an explanation, in clear and neutral language, of what a preferred carrier freeze is, and what services may be subject to a

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freeze; a description of the specific procedures to lift a preferred carrier freeze; an explanation that the customer will be unable to make a change in carrier selection unless he or she lifts the freeze; and an explanation of any charges

incurred for implementing or lifting a preferred carrier freeze.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

(d) All LECs must offer customers, at a minimum, the following procedures for lifting a preferred carrier freeze:

(i) A customer's written or electronic authorization stating the customer's intent to lift the freeze;

(ii) A customer's oral authorization to lift the freeze. This option must include a mechanism that allows a submitting carrier to conduct a three-way conference call with the executing carrier and the customer in order to lift the freeze. When engaged in oral authorization to lift a freeze, the executing carrier must confirm appropriate verification data (e.g., the customer's date of birth), and the customer's intent to lift the freeze.

(e) A LEC may not change a customer's preferred carrier if the customer has a freeze in place, unless the customer has lifted the freeze in accordance with this subsection.

(6) Remedies. In addition to any other penalties provided by law, a submitting carrier that requests a change in a customer's carrier without proper verification as described in this rule shall receive no payment for service provided as a result of the unauthorized change and shall promptly refund any amounts collected as a result of the unauthorized change. The customer may be charged, after receipt of the refund, for such service at a rate no greater than what would have been charged by its authorized telecommunications company, and any such payment shall be remitted to the customer's authorized telecommunications company.

(7) Exceptions. Companies transferring customers as a result of a merger, purchase of the company, or purchase of a specific customer base are exempt from subsections (1) through (6) of this section if the companies comply with the following conditions and procedures:

(a) The acquiring company must provide a notice to each affected customer at least thirty days before the date of transfer. Such notice must include the following information:

(i) The date on which the acquiring company will become the customer's new provider;

(ii) The rates, terms, and conditions of the service(s) to be provided upon transfer, and the means by which the acquiring company will notify the customer of any change(s) to those rates, terms, and conditions;

(iii) That the acquiring company will be responsible for any carrier change charges associated with the transfer;

(iv) The customer's right to select a different company to provide the service(s);

(v) That the customer will be transferred even if the customer has selected a "freeze" on his/her carrier choices, unless the customer chooses another carrier before the transfer date;

(vi) That, if the customer has a "freeze" on carrier choices, the freeze will be lifted at the time of transfer and the customer must "refreeze" carrier choices;

(vii) How the customer may make a complaint prior to or during the transfer; and

(viii) The toll-free customer service telephone number of the acquiring carrier.

(b) The acquiring company must provide a notice to the commission at least thirty days before the date of the transfer. Such notice must include the following information:

(i) The names of the parties to the transaction;

(ii) The types of services affected;

(iii) The date of the transfer; and

(iv) That the company has provided advance notice to affected customers, including a copy of such notice.

(c) If after filing notice with the commission any material changes develop, the acquiring company must file written notice of those changes with the commission no more than ten days after the transfer date announced in the prior notice. The commission may, at that time, require the company to provide additional notice to affected customers regarding such changes.

[Statutory Authority: RCW 80.01.040 and 80.04.160. 03-01-065 (Docket No. UT-990146, General Order No. R-507), § 480-120-147, filed 12/12/02, effective 7/1/03.]

Activity 10/16/2003 04:43 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Please get back to me regarding this complaint. Thank you.

Activity 10/24/2003 11:54 AM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Please get back to me regarding this complaint. Thank you.

Activity 10/31/2003 04:05 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Please get back to me regarding this complaint. Thank you.

Activity 11/05/2003 12:30 PM Email: Roger Kouchi << Chris Sturgul  
We do not have any documentation regarding the LEC freeze authorization.

Activity 11/07/2003 01:43 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - WAC 480-120-147(5) requires the proper verification of preferred carrier freezes. You indicated that the company does not have this verification. I have recorded a violation of WAC 480-120-147(5). Please respond to the violation. Thank you.  
WAC 480-120-147

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(a) All LECs must notify all customers of the availability of a preferred carrier freeze, no later than the customer's first telephone bill, and once per year must notify all local exchange service customers of such availability on an individual customer basis (e.g., bill insert, bill message, or direct mailing).

(b) All carrier-provided solicitation and other materials regarding freezes must include an explanation, in clear and neutral language, of what a preferred carrier freeze is, and what services may be subject to a freeze; a description of the specific procedures to lift a preferred carrier freeze; an explanation that the customer will be unable to make a change in carrier selection unless he or she lifts the freeze; and an explanation of any charges incurred for implementing or lifting a preferred carrier freeze.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

(d) All LECs must offer customers, at a minimum, the following procedures for lifting a preferred

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carrier freeze:

(i) A customer's written or electronic authorization stating the customer's intent to lift the freeze;  
(ii) A customer's oral authorization to lift the freeze. This option must include a mechanism that allows a submitting carrier to conduct a three-way conference call with the executing carrier and the customer in order to lift the freeze. When engaged in oral authorization to lift a freeze, the executing carrier must confirm appropriate verification data (e.g., the customer's date of birth), and the customer's intent to lift the freeze.

(e) A LEC may not change a customer's preferred carrier if the customer has a freeze in place, unless the customer has lifted the freeze in accordance with this subsection.

Activity 11/10/2003 02:48 PM Voice Mail: Roger Kouchi << chris sturgis

Wanted to know what responding to the violation consisted of.

NOTE: Returned call and Left message on VM. Informed company that responding to a violation simply means sending a response back that says the company understands the violation, accepts/rejects violation, and has taken steps to preclude future violations of this nature.

Activity 03/25/2004 12:19 PM Email: Roger Kouchi << Chris Sturgul

Was this complaint closed or is it still open?

### **Complaint #84816**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Mr says he paid Tel West in advance for service. He doesn't know how much, or for how long in advance, but he believes it was for all of August and maybe Sept. He said that he called Tel West for the refund and it would not provide the refund without a certified letter from him requesting. Please explain why a certified letter is required for an advance payment to be refunded when Tel West is not longer providing service for this customer disconnected due to the WTAP issue. The customer said he was not asked if he would be willing to pay a higher rate for service in his area through Tel West, intimating he would have been willing. Is Tel West still providing services in the customer's area any longer?

8/4/03 12:35)passed complaint to Chris Sturgel, cc to Don Taylor, via email.

Activity 08/04/2003 01:59 PM Email: Diana Otto << DON TAYLOR

I've researched Complaint 84816, *Identifying information withheld at customer's request*, with Tel West who states that this customer actually has a balance owing to Tel West of \$12.57 and that no refund is due the customer. The balance due Tel West is because of late payment fees, so the \$24.00 payment made by the customer on 4/3/03 went toward late fees, not prepayment for future service. FYI, in terms of requiring a written request for a refund, should one be owed, Tel West policy as specified in the Tel West Washington Price List, Section 3.11, provides for a written (though not certified) request submitted to the Company, and also provides for a 30-day period to allow for any customer usage charges to be posted to the customer's account. This policy was reviewed and OK'd by the WUTC Compliance Group last year.

Activity 08/11/2003 01:42 PM Email: Diana Otto >> Don

Don, thank you for the initial response. I will need an account history to verify the amount owed, please. That would include enough past bills to substantiate the late fees. An account history needs to include the date bills are mailed, the current charges, the prior balance owing, the total amount owing and the

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due dates of each bill provided. It also needs to include payments and the dates received, any adjustments to the account, and late notice information to include the date the notice is mailed, the total amount past due, and the due date.

Activity 08/11/2003 03:01 PM Email: Diana Otto << DON TAYLOR

Here are the items you requested for Complaint 84816, *Identifying information withheld at customer's request*, extracted from the customer account records on Tel West's database.

ATTACHEMENTS PRINTED AS A HARD FILE:

Attachment # 1 appears to be customer's billing periods and charges. I don't see any payments listed and it appears there are possibly two late notices. Attachment # 2 shows a late fee of \$10 for April and \$10 for May, 2003.

SEE HARD FILE

Activity 08/13/2003 11:00 AM Email: Diana Otto >> Don Taylor

Thanks, Don, for the information. But, please provide me with the date the bills were mailed and the due dates. I didn't get an answer from you on whether this customer could continue service with TelWest in his area if he wasn't on WTAP. This customer was really adamant that he wanted to know this and wanted to how the the service area was defined. He believes someone about a 1/2 mile away from him is still getting service with TelWest. Maybe you could give me the boundaries of the area he's in, for instance, if he can't have any service with TelWest. Thanks.

Activity 08/13/2003 12:00 PM Email: Diana Otto << DON TAYLOR

I have forwarded your email to and discussed it with Chris Sturgul at Tel West, who has access to more records than I do. He will provide the information you've requested.

Activity 08/13/2003 12:16 PM Email: Diana Otto >> Don Taylor

Thanks.

Activity 08/20/2003 11:43 AM Email: Diana Otto >> Don Taylor

Don, Chris Sturgul has not yet provided the requested information to me. I requested it on 8/13/03. The response was due 8/18. The company is in violation of WAC 480-120-166(8). I'll be recording a violation. Do you know when Chris plans on responding, please?

Activity 08/25/2003 06:54 PM Email: Diana Otto << Chris Sturgul

I apologize for not getting this information to you sooner. We have had problems with our email server. I am sending some billing records and notes from this account. The customer was asked for a written request of a refund not a certified letter. The customer was consistently late and his payments went toward paying past due balances and late fees. The customer was not asked and should not have been asked if he would be willing to pay more in order to keep his service. We have found that some customers are/were still being served in exchanges that we exited and we are trying to remedy this situation. With the amount of customers that we had to let go some numbers were overlooked or miss-typed. Again sorry for the delay in responding

Tran#	Date-Agent	Description	InvID-Mthd	Amount	Sub
612925					
	Jan 6 2003	5:04PM WATAP			
	Start: Jan 29 2003	End: Feb 28 2003			
	Jan 29 2003	Feb 28 2003	\$4.00	\$4.00	
645112					

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Feb 11 200311:12PM WATAP

Start: Mar 1 2003 End: Mar 31 2003

Mar 1 2003 Mar 31 2003 \$4.00 \$8.00

651825

Feb 17 200311:03PM WATAP

Start: Apr 1 2003 End: Apr 30 2003

Apr 1 2003 Apr 30 2003 \$14.00 \$22.00

650249

RCPT POS Mar 12 200311:55AM TEL WEST Communications LLC

CH 2310 21283 Mail (\$8.00) \$14.00

677879

Mar 25 200311:03PM WATAP

Start: May 1 2003 End: May 31 2003

May 1 2003 May 31 2003 \$14.00 \$28.00

664688

RCPT POS Apr 3 20032:37PM TEL WEST Communications LLC

ch 2345 21915 Mail (\$24.00) \$4.00

702765

Apr 24 200310:38PM WATAP

Start: Jun 1 2003 End: Jun 30 2003

Jun 1 2003 Jun 30 2003 \$5.38 \$9.38

727478

May 25 200310:22PM WATAP

Start: Jul 1 2003 End: Jul 31 2003

Jul 1 2003 Jul 16 2003 \$3.19 \$12.57 \$12.57

COS Requests- Uncompleted Requests only No Records.

Customer Actions- Past 3 months

Date	Action By	Action	Info
7/16/2003	Moon Wymore		Forced Status Change
84/2003	Fay Atuatasi	Add Item	Late Fee
8/4/2003	Fay Atuatasi	Add Item	Late Fee

Customer Notes- Past 3 months, NEW Leftby Note

Silvia Hunt Jul 25 20036:04PM CUST CALLED AND STATED THAT HE BELIEVED THAT WE WERE ONLY DISCO CUST W/OUT FEATS AND THAT , THAT WAS WRONG AND THAT HE WAS GOING TO PUT IN A SUPRIOR

LAW SUIT FOR HE FEELS HE WAS DEFRAUDED. AND DOES NOT WANT TO FAX IN A WRITTEN REQUEST FOR A REFUND ON OVER PAID BALANCE. I HAVE PROVIDED OUR FAX # AND POBOX ADDY ONLY.

Moon Wymore Jul 16 20037:30PM (Forced from PROBLEM to ARCHIVED) - disco

Chris Sturgul Jun 18 200312:00AM This customer has been mailed notification that Tel West Communications LLC will no longer be providing phone service in their area to support the WATAP program. This customer has until July 18, 2003to transfer service to another provider.

Activity 08/26/2003 04:18 PM Email: Diana Otto >> Chris

Chris, thanks for the information. One last item -- please provide me with the tariff/price list site for your

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late fees, please. Also, do the bills clearly identify the late fee charges as such?

Activity 08/27/2003 03:14 PM Email: Diana Otto << Chris Sturgul

Here is the section on Miscellaneous Charges, I've highlighted the late fee. Our statements itemize the Monthly Service charge and any government charges or fees. Below the monthly total we display any previous balances which include credits, late fees, and/or unpaid charges then a current total. In addition we state the totals due if paid on time and the total due if paid after the due date. We also state that a \$10.00 late fee applies.

### 2.3.5 Miscellaneous Charges

The following miscellaneous charges apply to Basic, WTAP Basic, and Premium Residence Telephone Service, as applicable:

Cancelled Order Charge.....	\$15.00
Change Telephone Number.....	\$30.00
Disconnect Cancellation Fee.....	\$10.00
Expedited Order Charge.....	\$20.00
Late Payment Charge.....	\$10.00
Optional Features Set Up.....	\$15.00
Reconnection Fee.....	\$20.00
Returned Check Charge.....	\$25.00
Service At New Address.....	\$30.00
Special Request Telephone Number.....	\$10.00

Activity 09/10/2003 12:03 PM Action: Diana Otto

my summary of Mr's account:

2/28 bill \$4.00

3/13 paid 8.00, 4.00cr

3/31 bill 4.00pb, 4.00c, 8.00t

4/3 paid 24.00, ?b

4/30 bill 14.00c (\$10 late fee + \$4), 8.00pb, 22.00t

5/31 bill 14.00 (\$10 late fee + 4), 28.00t

6/18 mailed letter to customer that co will not longer be providing service in their area asd of 7/18/03. Needs to tfr to another provider.

6/30 bill 5.38c, 9.38t

7/16 late notice \$?

7/25 - cust called - stated that he believed that company

9/29 Mrs called - company resolved dispute. (see activity) were only disco cust w/o feats and that that was wrong and that he was going to put in a sup. law suit for he feels he was defrauded. Does not want to fax in a written request for a refund on over paid balance. Provided fax # and PO Box addy only.

7/31 bill 3.19c, 12.57t

8/4 late fee

8/4 late fee

Late payment fees are found in price list under 2.3.5 - \$10. Co says bills indicate the amount to pay prior to due date and the additional amount to pay after the due date.

Activity 09/10/2003 12:26 PM Email: Diana Otto >> Chris

Chris, thanks for the information provided thus far. Unfortunately, when you provided the billing and payment history, it didn't come across in email very well. I'm having trouble putting the account history together because of the format I see it in. Could you please fax the information to me that you sent to me

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in your 8/25/03 email. Also, from what I figure out, it doesn't look the customer ever paid any money in advance like he told me he did. Is that correct? Finally, please provide me specifics on Mr's area of service. What I mean -- is there boundarys or is it by prefix, or what? Thanks.

Activity 09/10/2003 12:29 PM Email: Diana Otto >> Chris

Chris, by fax number is 360-664-4291 or 360-586-1150. Please send to my attention.

Activity 09/11/2003 12:58 PM Fax: Diana Otto << Chris

Received 6 page fax from Chris including cover sheet. The document appears to be the account history along with all emails between Chris and I. However, the document has dark lines down both sides of the paper so it can't be totally read.

SEE HARD FILE

Activity 09/15/2003 09:56 AM Fax: Diana Otto << Chris

received fax from Chris - 6 pages of a print out of the complaint text that Chris had including the account history and the emails between us. The fax still has a dark line down the left hand side of the pages, but is mostly readable.

SEE HARD FILE

Activity 09/15/2003 10:13 AM Fax: Diana Otto >> Chris

Chris, your fax arrived, but it has big wide lines through each page and has wiped out text on both the right and left hand sides of the documents. Please try refaxing it.

Activity 09/15/2003 10:26 AM Email: Diana Otto << Chris Sturgul

Will do.

Activity 09/30/2003 09:51 AM Phone: Diana Otto >> Chris

called Chris - left message on voice mail explaining that the information faxed to me still has the dark lines through it, but I have been able to decipher that the faxed documents are information he's already provided to me earlier. I went on to explained that what I specifically need, still, is the actual mailing date of each bill, the due dates (the date the bill became delinquent), and the actual dates the payments were received. I explained that I can not complete my investigation with out this information.

Activity 10/28/2003 11:59 AM Phone: Diana Otto >> Chris

called Chris - left voice message that he hasn't responded to my 9/30/03 voice mail yet. He's in violation of our response rule which states he has to respond with the information within 3 days. I reiterated what I needed and advised him to reply no later than 10/31/03 to avoid daily violations of the rule (WAC 4801-120-166(8)).

Activity 11/17/2003 09:15 AM Email: Diana Otto >> Chris

Chris - I've been attempting to get a hold of you. See bottom of text, please. NOTE: I copied the complete text here for Chris.

Activity 11/19/2003 12:47 PM Email: Diana Otto >> Chris

Are you getting my messages, please? The most recent was 11/17 by email? I know you notified our section this week of a change in email address. Please let me know if you get this and review the complaint text for what I need shown near the bottom of the text.

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Activity 12/02/2003 03:21 PM Email: Diana Otto >> Vicki Elliott

Do you want me to write a compliance letter on this complaint. Chris Sturgel is ignoring me.

Activity 12/10/2003 10:35 AM Action: Diana Otto

forward rough draft compliance letter to Vicki for review.

Activity 12/15/2003 10:51 AM Action: Diana Otto

Finalized letter to Carole Washburn for signature.

Activity 12/15/2003 12:23 PM Letter: Diana Otto >> Chris

Mailed the following letter to Chris:

REF: UT-41104

FILE: 86127

December 15, 2003

Mr. Chris Sturgul

Tel West Communications, LLC

Post Office Box 94447

Seattle, Washington 98124

Dear Mr. Sturgul:

On September 30, 2003, Diana Otto, Commission staff, electronically mailed a message to you requesting additional information regarding the complaint filed by *Identifying information withheld at customer's request*, complaint number 84816. Tel West did not respond to Ms. Otto's request. Ms. Otto then followed up with additional electronic messages to you for the additional information on October 28, November 17, and November 19, 2003.

WAC 480-120-166 (8) Commission-referred complaints (copy enclosed), requires Tel West Communications, LLC. (Tel West) to respond to requests for additional information within three business days. It has now been nearly 10 weeks since the request.

Late responses to Commission-referred complaints will be cited as a violation of WAC 480-120-166(8). The Commission may impose penalties of up to \$1,000 per day for each violation of the rule. Staff is recording one violation of the rule at this time. Failure to reply to this complaint on or before December 22, 2003, will cause daily violations of the rule to be recorded until a response is received.

Please direct any question you may have and your response to Diana Otto by facsimile at 360-664-4291, by telephone at 360-664-1104, by email at [dotto@wutc.wa.gov](mailto:dotto@wutc.wa.gov), or by U.S. Postal service to the above shown Commission address.

Sincerely,

Carole J. Washburn

Executive Director

Enclosure

Activity 12/22/2003 02:15 PM Phone: Diana Otto << Chris

Chris called - said he got my compliance letter. Said Tani, of my office, also said her emails weren't getting to him. I told him that I also left voice messages for him and the dates of them. He claims to not have gotten them. He said an email for another complaint got through to him today from me, however. He'll get on this and get back to me. He didn't understand what I needed (bill dates, due dates, etc.)

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Activity 12/22/2003 02:28 PM Email: Diana Otto >> Chris

Chris, per our discussion just now - here's the text of the complaint. NOTE: I COPIED THE ENTIRE TEXT OF THE COMPLAINT HERE.

Activity 12/30/2003 12:26 PM Email: Diana Otto >> Chris

Chris, I've not had a response from you since my 12/22/03 discussion and follow-up email in which I explained what I needed in relation to the compliance letter mailed to you on 12/15/03. It's a violation of WAC 480-120-166(8) which requires requests for additional information to be responded to within 3 business days. I'm recording daily violations of this rule from 12/26 forward until which time I receive the appropriate, complete, response.

Activity 01/12/2004 06:25 PM Email: Diana Otto << Chris Sturgul

I'm attaching this information again and I'll fax it as well. Please let me know if you receive this.

- *Identifying information withheld at customer's request.xls*

NOTE: THE ATTACHMENT IS AN EXCEL SPREAD SHEET. SEE HARD FILE

Activity 01/27/2004 12:07 PM Email: Diana Otto >> Chris, cc Don Taylor

Chris, I received this email from you and have questions on it. Your column titles are: Transaction number, Date, Service Period, Amount, and Sub Totals. What do the dates in the column titled "Date" represent, please? Could it be the date the bills were mailed and the dates payments were received? Please clarify for me. It appears to me that you have not yet provided me with the due dates for the bills.

Activity 01/27/2004 12:30 PM Email: Diana Otto << Chris Sturgul

You are correct; the date column is the date the Bill was sent or the date that Payment was received. This is Pre-Paid service so the due date is the last date of a service period. Payment is due prior to the Beginning of a service period. I'll add a column to make that easier to see.

(See attached file: *Identifying information withheld at customer's request.xls*)

SEE HARD FILE FOR PRINT OUT OF ATTACHMENT

The attachment is an excel spread sheet (the same one as before sent via email) including due date.

Activity 01/28/2004 12:27 PM Action: Diana Otto

an updated account history:

my summary of Mr's account:

1/6/03 bill \$4.00c, 0pb, 4.00t, due 2/28/03                      ATTEMPTED TO

IN-PUT CHRIS' 1/27/04 INFO - DOESN'T WORK.

3/12 paid 8.00, 4.00cr

2/17 bill 4.00pb, 4.00c, 8.00t, due 3/31/03

4/3 paid 24.00, 4.00b

4/30 bill 14.00c (\$10 late fee + \$4), 8.00pb, 22.00t

5/31 bill 14.00c (\$10 late fee + 4), 28.00t

6/18 mailed letter to customer that co will not longer be providing service in their area asd of 7/18/03. Needs to tfr to another provider.

6/30 bill 5.38c, 9.38t

7/16 late notice \$?

7/25 - cust called - stated that he believed that company

9/29 Mrs called - company resolved dispute. (see activity) were only disco cust w/o feats and that that

was wrong and that he was going to put in a sup. law suit for he feels he was defrauded. Does not want

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to fax in a written request for a refund on over paid balance. Provided fax # and PO Box addy only.

7/31 bill 3.19c, 12.57t

8/4 late fee

8/4 late fee

Late payment fees are found in price list under 2.3.5 - \$10. Co says bills indicate the amount to pay prior to due date and the additional amount to pay after the due date.

Activity 01/28/2004 12:45 PM Phone: Diana Otto << Don Taylor

Called Don - advised that I'm getting frustrated in my attempts to get clear and understandable information from Chris. I explained what I needed in an account history, that it needs to be chronological and that it needs to calculate. I told him at this point the info that I'm receiving from Chris each time conflicts with previous info and I don't know which info is correct. Don explained that Chris is no longer doing this work and that I should work with he and Mat going forward. He said that the service is pre-paid and when the customer pays the service begins. Mid month or so, the company sends out a reminder to pay for the coming month, due the last day of the pre-paid month. If the customer doesn't pay, then they don't get service the following month. I asked if the reminder to pay in mid-month is being considered a late notice and pointed out that it couldn't be sent before the money is due (the last day of the pre-paid month). I have concerns about that. I asked if he had ever worked through any of this info with Vicki? Yes, and Dennis S. of our Business Practices section. He or Mat will get back with me on this hopefully with a definitive account history which they will put together.

Activity 01/28/2004 01:12 PM Email: Diana Otto >> Don Taylor

Don, thank you so much for being willing to help me get this complaint resolved, and hopefully closed soon. Below is the complaint info needed:

Disconnect, billing dispute and deposit checklist

Account Established Date

Credit class

Amount of Deposit on file, if any

Number of Disconnections in last 12 months

Number of Late Notices in last 12 months

Number of Non-sufficient funds (NSF checks) in last 12 months

The date the bill is mailed.

The current charges.

The prior balance owing.

The total amount of the bill.

The due date of the bill.

The date a payment is made and the amount of each payment.

The date of and the amount of any credits or debits to the account (adjustments).

The balance owing after payments and adjustments.

The date of any late notices mailed and/or left at a customer's home and the dollar amount due.

The due date of any late notices.

The date and time of any telephone calls made as a form of a late notice, the dollar amount quoted as due, and the due date. Will also need to know whether the company actually spoke with the customer or not and if so, what were the results of the call (such as, the customer made a payment arrangement to pay what dollar amount on what day, or the customer said she could not pay until, etc.).

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The date of any disconnection of service and the dollar amount disconnected.

The date an account was restored.

Any account note or other information that is pertinent.

Account format example:

Est 5/20/00, D Acct, no dep, 2 late notices, no disc., no nsf checks

10/2 bill 100.00c, 50.00pb, 150.00t, due 10/20

10/18 paid 100.00, 50.00b

10/22 late notice 50.00, due 11/3

10/28 cust called - arg to pay 50.00 on 11/5 at paystation. Co agreed.

11/5 paid 50.00, 0.00b

Activity 01/28/2004 03:47 PM Email: Diana Otto << Mat Myers

I'm sorry for the time it has taken to resolve this issue. I will take over this complaint from here and provide you with all the information requested.

*Identifying information withheld at customer's request* Est. 1/6/03

Service start dt: 1/29/03

Credit class: prepaid service

No deposit

Disconnected 7/18/03 - Telwest not providing service in area

5 late notices in last 12 months

no nsf's in last 12 months

Bills sent on 2/11, 3/12, 4/11, 5/11, 6/12, 7/12, all in 2003

Current Balance owed - \$2.57

The due date of this ammount was 7/16/03

payments on account: 3/12/03 - \$8.00 by check

4/03/03 - \$24.00 by check

I have adjusted the account \$10 for an errant late fee posted on May 1st bill.

Ledger balance:

1/29/03 \$4.00 bill

3/01/03 \$4.00 bill - \$8.00 total

3/12/03 \$8.00 payment - \$0.00 total

4/01/03 \$4.00 bill + \$10.00 late fee - \$14.00 total

4/03/03 \$24.00 payment - (-\$10.00) total

5/01/03 \$4.00 bill + \$10.00 late fee - \$4.00 total

6/01/03 \$5.38 bill - \$9.38 total

7/01/03 \$3.19 bill - \$12.57 total

1/28/03 \$10.00 credit to account for errant late fee on 5/01/03 bill

Final Total \$2.57

The customer was not called for late notice, never in jeopardy for disconnect. Jun 18th, 2003 - This customer has been mailed notification that Tel West Communications LLC will no longer be providing phone service in their area to support the WATAP program. This customer has until July 18, 2003 to transfer service to another provider. Any confusion from our office lies in the bizarre way the bills were posted to the account during the early stages of development with this database. This is also why the errant late fee was never caught until today. I am more than willing to waive the \$2.57 balance on the customer's account and offer our apologies for any inconveniences the customer may have had. Please let me know if there is any other information I might provide to you.

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Activity 02/03/2004 03:07 PM Action: Diana Otto

my summary of the account history information provided by Mat:

est 1/6/03, prepaid service, no deposit, disconnected 7/18/03 due to company no longer providing service in area, 5 late notices, no nsf checks

2/11 bill 4.00c, 4.00pb, 8.00t, due 2/28

3/12 paid 8.00, 0b

3/12 bill 4.00c, 0pb, 4.00t, due 3/31

4/3 paid 24.00, 10.00cr b

4/11 bill 4.00c, 10.00 late fee, 4.00b ???, due 4/30 (improper late fee)

5/11 bill 5.38c, 4.00pb, 9.38t, due 5/31

6/12 bill 3.19c, 9.38pb, 12.57t, due 6/30

6/18/03 mailed letter to customer - disconnecting on 7/18/03 due to no longer serving area.

1/28/03 10.00cr, 2.57b (credited improper late fee on 5/1/03 bill)

customer was billed:

4.00, 4.00, 4.00, 5.38, 3.19 = \$20.57 + \$10 late fee (in error) = \$30.57 total billed.

customer paid 8.00, 24.00 = \$32.00 + \$10 credit = 42.00 total payments and credits.

$\$30.57 - 42.00 = \$11.43$  credit

Company still need to refund the customer \$11.43, as I see it.

Activity 02/04/2004 08:45 AM Email: Diana Otto >> Mat, cc Con

Mat, I've put together another account history from the information you've provided and your figures do not compute if you run the numbers. So, I've taken it a step further and added up the charges, and subtracted the payments and credits. I come up with the company owing the customer an \$11.43 credit instead of him still owing \$2.57. Please take a look at it and let me know your thoughts on it, or where the errors are in the information you've provided me.

est 1/6/03, prepaid service, no deposit, disconnected 7/18/03 due to company no longer providing service in area, 5 late notices, no nsf checks

2/11 bill 4.00c, 4.00pb, 8.00t, due 2/28

3/12 paid 8.00, 0b

3/12 bill 4.00c, 0pb, 4.00t, due 3/31

4/3 paid 24.00, 10.00cr b

4/11 bill 4.00c, 10.00 late fee, 4.00b ???, due 4/30 (improper late fee)

5/11 bill 5.38c, 4.00pb, 9.38t, due 5/31

6/12 bill 3.19c, 9.38pb, 12.57t, due 6/30

6/18/03 mailed letter to customer - disconnecting on 7/18/03 due to no longer serving area.

1/28/03 10.00cr, 2.57b (credited improper late fee on 5/1/03 bill) customer was billed:

4.00, 4.00, 4.00, 5.38, 3.19 = \$20.57 + \$10 late fee (in error) = \$30.57 total billed.

customer paid 8.00, 24.00 = \$32.00 + \$10 credit = 42.00 total payments and credits.

$\$30.57 - 42.00 = \$11.43$  credit

Company still need to refund the customer \$11.43, as I see it.

Activity 02/05/2004 02:21 PM Email: Diana Otto << Mat Myers

Thanks for your patience in figuring this out with me. The customer was charged the following:

4.00 1/29

4.00 3/1

14.00 4/1

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14.00 5/1  
5.38 6/1  
3.19 7/1  
Total - 44.57

The customer paid the following:

8.00 3/12  
24.00 4/3  
10.00 credit  
Total - 42.00

Difference is 2.57 charge left on account. In my previous email, you will notice two late fees, one in error. Let me know if this helps you out at all.

mmyers@telwestservices.com <mailto:yummyers@telwestservices.com>

Activity 02/06/2004 10:56 AM Action: Diana Otto

following is a correct account summary:

est 1/6/03, prepaid service, no deposit, disconnected 7/18/03 due to company no longer providing service in area, 5 late notices, no nsf checks

2/11 bill 4.00c, 4.00pb, 8.00t, due 2/28

3/12 paid 8.00, 0b

3/12 bill 4.00c, 0pb, 10.00 late fee, 14.00t, due 3/31

4/3 paid 24.00, 10.00cr b

4/11 bill 4.00c, 10.00 late fee, 10.00cr pb, 4.00b, due 4/30 (improper late fee)

5/11 bill 5.38c, 4.00pb, 9.38t, due 5/31

6/12 bill 3.19c, 9.38pb, 12.57t, due 6/30

6/18/03 mailed letter to customer - disconnecting on 7/18/03 due to no longer serving area.

1/28/03 10.00cr, 2.57b (credited improper late fee on 5/1/03 bill)

NOTE: I HAVE REVIEWED THE COMPANY'S PRICE LIST AND IT ALLOWS LATE PAYMENT FEES OF \$10.00, IF APPLICABLE. THE PRICE LIST DOESN'T CLARIFY IF APPLICABLE OTHER THAN ON THE PRICE LIST SHEET THAT STATES BILLS ARE DUE 15 DAYS AFTER MAILING.

Activity 02/06/2004 11:19 AM Email: Diana Otto >> Mat Meyers

Mat, thanks for helping me on this. I think the account finally calculates for me and, I too, come out with \$2.57 owing. I've reviewed the price list of Tel West and find \$10 late fees are listed and state "when applicable." However, the price list doesn't explain what "applicable" means. Is there somewhere in the price list that explains the conditions under which the \$10 late fee is applicable? Thanks in advance.

Diana

Activity 02/06/2004 12:13 PM Email: Diana Otto << DON TAYLOR

There is no definition in the Price List for "when applicable." I can certainly add a definition if you think that is necessary, but to me it is logical and reasonable to understand that a late fee would apply when a payment is received by the Company after the payment due date as specified on the customer's bill, which is why I did not think a definition was necessary. Let me know if you think a filing is required to add clarifying language.

Activity 02/06/2004 12:53 PM Email: Diana Otto >> Vicki

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I think I need to talk with you about this issue. Tel West has a late fee - \$10 - which is quite high if you ask me, and it applies apparently as soon as the bill isn't paid. This is pre-paid service. The price list just says the late fee applies when applicable. Do you have a problem with this? Should the price list be more descriptive? Should there be a late notice or something?

Activity 02/06/2004 01:00 PM Email: Diana Otto << Vicki Elliott

Well, this is what I think. The rule says that the company has to give the customer 15 days to pay the bill. I think, then, that if the company allows 15 days and the customer hasn't paid, the company can charge the late fee on day 16. Let me know if this answers your question or if you need more.

Activity 02/09/2004 08:05 AM Email: Diana Otto >> Don

Don, no need to change the price list. I've discussed it with Vicki Elliott and she's ok with it, too. Thanks for working through this with me. Diana

Activity 02/09/2004 08:07 AM Email: Diana Otto << DON TAYLOR

My pleasure - let me know if I can help further.

Activity 02/11/2004 11:43 AM Email: Diana Otto >> Mat Meyers, cc Don

Mat, I thought I was done and just needed to write the customer, but while in the process of writing the letter, I began to wonder why the customer's Feb. 03 bill had a prior balance owing of \$4 when he only began service in January, 03. If this is pre-paid service, didn't the customer have to pre-pay for January before starting service? Or is the \$4 prior balance really appropriate. Thanks. Diana

Activity 02/11/2004 11:49 AM Action: Diana Otto

See partial draft letter c:data under *Identifying information withheld at customer's request*, dated 2/11/04.

Activity 02/11/2004 12:44 PM Email: Diana Otto << Mat Myers

It is appropriate only in that we were offering customers to be billed for their first month if they were signing up for WTAP service. Hope this helps!

Activity 02/17/2004 02:53 PM Action: Diana Otto

Rough draft letter to Suzanne for ok.

Activity 02/23/2004 04:15 PM Email: Diana Otto >> Mat Meyers

Mat, I'm mailing a letter to the customer tomorrow, and I'm closing the complaint. Thank you, ver much, for helping me resolve this and get this complaint closed. It was my oldest complaint. Yea!

Activity 02/23/2004 04:56 PM Email: Diana Otto << Mat Myers

No problem Diana! Just FYI, I will no longer be your point of contact for future complaint resolution. Chris Sturgul will be your point of contact for Tel West from this point on. Please cc Don Taylor with all correspondence as well. Chris Sturgul's email address is [csturgul@telwestservices.com](mailto:csturgul@telwestservices.com). Don Taylor's email is [donalddtaylor@msn.com](mailto:donalddtaylor@msn.com).

Activity 02/24/2004 04:09 PM Letter: Diana Otto >> customer

Mailed the following letter to the customer:

REF: UT-41104

FILE: 84816

February 24, 2004

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*Identifying information withheld at customer's request*

Dear Mr. *Identifying information withheld at customer's request*:

I am responding to your informal complaint against Tel West Communication, LLC.

(Tel West). You stated that the company stopped serving your area, and at the time of disconnection of service you had over-paid the company and expected a refund. The company stated it was necessary for you to request your refund through a certified letter. Further, you believed the company was still providing service to some consumers in your area and you felt you should also be provided service. I apologize for the length of time it has taken to investigate this complaint. The company's responses were not timely, nor complete, causing the investigation to take an inordinate amount of time. My investigation revealed that you did not over-pay your account. You actually still owe the company a balance of \$2.57, as demonstrated below:

2/11/03 bill 4.00c, 4.00pb, 8.00t, due 2/28

3/12 paid 8.00, 0b

3/12 bill 4.00c, 0pb, 10.00 late fee, 14.00t, due 3/31

4/3 paid 24.00, 10.00cr b

4/11 bill 4.00c, 10.00 late fee, 10.00cr pb, 4.00b, due 4/30 (improper late fee)

5/11 bill 5.38c, 4.00pb, 9.38t, due 5/31

6/12 bill 3.19c, 9.38pb, 12.57t, due 6/30

6/18/03 mailed letter to customer - disconnected on 7/18/03 due to no longer serving area.

1/28/03 10.00cr, 2.57b (credited improper late fee on 5/1/03 bill)

c = current month's charges

pb = prior balance owing from previous month's charges

t = total amount owing after combining the current charges and the previous balance

b = balance after payment posted to account late fee = \$10 late fee is applied when you haven't paid your bill by the due date

cr b = credit balance – representing an over payment

Please note, the company billed you a \$10 late fee in error on the May billing. The company corrected that error by crediting the account on January 28, 2004, as a result of the complaint investigation. You owe the company \$2.57 which is the remaining balance. No refund appears appropriate unless you can prove that you made additional payments which are not reflected on the above account history. Had a refund been owed to you, a written request would have been necessary as required in the company's price list. However, a "certified" letter was not required.

In regard to the company continuing to provide service to other customers in your area, the company stated it was possible that a few customers may not have been disconnected timely. However, all should be disconnected at this time. I am unable to investigate this issue any further since I am not allowed to look into any other customers' accounts without those customers specifically filing a complaint at this agency. I hope the above information has been helpful. If you have further questions, I can be reached toll-free at 1-800-562-6150. My work schedule is Mondays and Tuesdays from 8:00 a.m. until 4:30 p.m., and on Wednesdays from 9:00 a.m. until 1:00 p.m.

Sincerely,

Diana Otto

Consumer Program Specialist

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**Complaint #84971**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer has requested port to MCI. TelWest will not release the line.

What is delaying release of number?

passed to telwest via email

passed 8/12 @ 11:25a

Activity 08/12/2003 11:27 AM Email: Gail Griffin-Wallace >> Chris Sturgul

CORRECTED COMPLAINT - PLEASE DISREGARD COMPLAINT FOR *Identifying information withheld at customer's request*

Activity 08/27/2003 12:39 PM Phone: Diana Jones << customer

-customer was requesting a response. I advised Ms. that the company has not responded. Ms. just received a bill from Tel West totalling \$122.42 for charges beginning August through September which includes late fees. The telephone number to be released is *Identifying information withheld at customer's request*. Apparently, the billing is under Tricia and should have been under Patricia. Ms. has been trying to have the number released since early July 2003. PLEASE RELEASE IMMEDIATELY.

Activity 08/27/2003 12:50 PM Email: Diana Jones >> Company/Tel West/Chris Sturgul

ALSO, the customer has asked that the company does not call her and the commission acts as her representative.

Activity 08/27/2003 02:05 PM Email: Diana Jones << Company/Tel West/Chris Sturgul

Sorry about that

Activity 08/27/2003 02:33 PM Email: Diana Jones >> Company/Tel West/Chris Sturgul

Chris, when the company responds, can you make sure I'm cc'd a copy. Thanks.

Activity 08/27/2003 03:25 PM Email: Diana Jones << Company/Tel West/Chris Sturgul

Gail, The original response was misdirected to DJ. I've done some further research on this account and expanded to information. Tel west placed an order on 8/6/03, LSR 080503CRQ12/7692866, order #C26945264 which completed on 8/6/03. The customer called in on 8/12/03 to verify that the freezes removed, a Tel West rep confirmed that there was no longer a line freeze on this account. I pulled the Qwest CSR on 8/26/03 to make sure that a mistake had not been made and found that no freeze is present on the account. I have also called the Qwest Interconnect Service Center and spoke with Michelle. Michelle confirmed that no line freeze exists on this account. I asked her to check if an order had been placed against the account from another carrier, she said that there had been another order placed after the line freeze removal but that she could not give me any more details.

The problem does not seem to be on the Tel West side. In the meantime the customer's account is delinquent. The customer requested that Tel West not call her. At this time the customer is 19 days late. She is being called by our Auto dialer because her account is delinquent. This is something that cannot be changed unless the account is disconnected or we receive payment for services provided. The customer has had 21 days to migrate her account and has not paid Tel West for the services provided. When can we be allowed to follow disconnect procedures?

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Activity 08/27/2003 03:40 PM Email: Diana Jones >> Company/Tel West/Chris Sturgul  
Chris, you must have misunderstood me. There was "no response" as of yet e-mailed to Gail. I'm just jumping in to help because the customer called and Gail is out of the office.

Activity 08/27/2003 03:44 PM Email: Diana Jones >> Company/Qwest/urgent  
Can you have a staff member check and see what company has a freeze on this customer's line with is causing the number not to transport from Tel West. Te West stated that all is good on their side and they released the line on 8/6/03. Can you e-mail Gail, but cc: me. Gail is out of the office until 9/3/03.

Activity 08/27/2003 03:58 PM Email: Diana Jones << Company/Tel West/Chris Sturgul  
Thanks for the clarification. I've had major problems with my email and I could not find the original response. You have received it now, correct?

Activity 08/28/2003 12:46 PM Email: Diana Jones >> Company/Qwest/Marilyn Spence  
I'm not sure if Gail was going to send this complaint to Qwest. The reason I did is because of the trouble the customer is having on her phone service.

Activity 08/29/2003 12:33 PM Email: Diana Jones << Company/Comcast/Steve Oxnevad  
Gail--misc/customer service complaint response--  
The end user, Ms *Identifying information withheld at customer's request*, apparently wanted to change local service providers from TelWest to MCI. Our interconnect service center could not initially process the request because of a local service freeze block(LEFV) on the end user's account. Interconnect actually rejected MCI on two different occasions, due to the existence of the block. The local service freeze was finally removed and order C27564560 was issued on 8/22/03, due 8/27/03, to convert Ms *Identifying information withheld at customer's request* to MCI. The order completed on 8/27. I believe this matter can be closed.

Activity 09/11/2003 12:56 PM Email: Diana Jones << Company/Tel West/Chris Sturgul  
We just received a call from Mrs. *Identifying information withheld at customer's request* because she had received a disconnect notice from Tel West. I advised her that her service would not be disconnected because of the open complaint but that she would continue to receive notices. She informed me that she was no longer our customer. She also asked why Tel West held her line hostage, I advised her that this was not the case, she said it was. I then advised her that she would need to speak to the commission regarding our response to the complaint. I have verified that her account has been moved to MCI as of 08/27/03 order #C27564560. Can we close this complaint now that she has been migrated?

Activity 09/16/2003 03:18 PM Email: Gail Griffin-Wallace >> csturgul  
You can close you end at this point. I am still reviewing the responses received when I was out of the office, but, since the customer is now with MCI, I do not have any additional questions at this point. Please note that a violation was recorded for failure to respond timely. If you have any questions, please do not hesitate to contact me  
Gail

Activity 01/23/2004 08:56 AM Email: Gail Griffin-Wallace >> Chris Sturgul  
I have been asked to review this complaint and ask a couple of clarifying questions. You indicated that the customer had a freeze on the account which prevented customer from migrating to another company. WAC 480-120-147(5) says that express consent must be given by the customer. What type of freeze did

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the customer have on her account? If customer had a local freeze, how was the request received? Please provide a copy. I will expect your response by 1/30/04.

Activity 01/26/2004 04:56 PM Email: Gail Griffin-Wallace << Chris Sturgul  
We do not have documentation for this request from the customer.

Activity 02/03/2004 09:22 AM Email: Gail Griffin-Wallace >> Chris Sturgul  
If I've responded previously I apologize. The complaint record does not show that I did. I am recording a violation of WAC 480-120-147(5). Documentation is required for preferred carrier freezes. Please contact me if you have any questions. I have re-closed the complaint.

**Complaint #85015**

Julie Monson  
333 S. 320th St, J-1  
Federal Way WA, 98003

Tel West Communications, LLC

Customer says she is trying to switch service to another CLEC, but Tel West will not release the line because of a freeze.

Tel West:

-Please provide verification that this customer authorized a freeze of her local service to Tel West. (passed via urgent e-mail to Chris Sturgul, cc to Don Taylor, 8/13, 5:02)

Activity 08/19/2003 07:59 AM Email: John Cupp >> Chris Sturgul  
A response to this complaint was due within two business days. To date I have not received your response. I have noted a violation of WAC480-120-166(6), which states that, in a service-affecting complaint, a company must report its findings within two business days. I will note a violation of this WAC for each additional date that I do not receive a response.  
(re-passed original complaint)

Activity 08/25/2003 11:51 AM Email: John Cupp >> Chris Sturgul  
Please see message below. As of today I have noted a total of five violations of the Commission's response rule. (forwarded copy of previous message to company dated 8/19, 7:59)

Activity 08/25/2003 12:19 PM Email: John Cupp << DON TAYLOR  
I know that Tel West has been having email problems, so I will try to coordinate a response to this complaint. What I can see from Tel West's database records right now is that an order to remove the local service freeze was originally issued by Tel West to Qwest as follows:

Leftby-Date PON PonDesc  
Jackie Wofford  
Aug 8 2003 11:55AM 080803JAWQ27/7723774RMV LEFV

Apparently there was a problem on the Qwest side, and a subsequent LSR No. 7741968 was issued with a due date of August 11, 2003, which was then revised to August 14, 2003. On August 12, 2003, the customer called Tel West and was verbally abusive, using language that caused the Tel West service rep to end the conversation.

I cannot tell what the current status of this customer's service is, but I will check directly with Tel West and let you know. A local service freeze removal order is very routine, so it's difficult to understand why it would cause such problems for Qwest. Hopefully the order has been completed and the customer can place an order for service with Qwest, if she has not already done so. I will update you as I get more information.

Activity 08/26/2003 07:16 PM Email: John Cupp << DON TAYLOR

Per Tel West, Order No. 27363049 removing the Local Service Freeze USOC from this customer's line was completed 8/14/03.

Activity 08/27/2003 12:17 PM Voice Mail: John Cupp >> Customer

Asked Ms to call me. Gave her our toll-free number.

Activity 08/28/2003 05:20 PM Phone: John Cupp >> Customer

I told Ms that TelWest shows that the freeze has been lifted and she should now be able to switch companies. Ms asked, "What about TelWest charging me WTAP rates?" I told Ms that I don't know if she is in the area in which TelWest is still serving WTAP customers. She said she is changing to another company anyway, so it doesn't matter. I told Ms that I am closing this complaint, and she can call me if she has trouble switching companies.

Activity 08/28/2003 05:23 PM Email: John Cupp >> DON TAYLOR

Can you provide verification that the customer ordered the Local Service Freeze?

Activity 08/28/2003 09:48 PM Email: John Cupp << DON TAYLOR

The customer does not order the local service freeze. Tel West orders this as a standard feature on all of its Qwest lines. This prevents unauthorized transfer ("slamming") of Tel West's customers either by Qwest or another service provider, which has been a problem in the past. However, the customer can order removal of the freeze at any time simply by calling Tel West and requesting it to be removed, allowing the customer to arrange for transfer of service to another provider, if that is their desire.

Activity 09/02/2003 07:53 AM Email: John Cupp >> Don Taylor

Please be informed that a local service freeze may not be added to an account in Washington without an order from the customer. Per WAC480-120-174(5)(c):

"No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section." I have noted a violation of this WAC. Please let me know if you have questions or comments.

I have informed the customer that the local service freeze has been lifted, and it is up to her if she wants to change carriers. I have also closed the complaint.



**Complaint #85585**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

End of May customer ordered service. Company offered customer a service plan of 38.00/month. Customer was not advised that there would be taxes and fees in addition. Customer paid a total of 246.88. Service was disconnected on 8-3. Customer believes she overpaid for service. Customer requested refund of 189.00. Company has delayed processing the refund. Customer does not wish to speak to company during this complaint. 9-26 (127) emailed complaint to company

Activity 09/26/2003 01:26 PM Email: Tani Thurston >> csturgul

Apparently I did not email this complaint to you on 9-18. Please respond by 10-3-03.

Activity 10/10/2003 09:21 AM Phone: Tani Thurston >> Chris Sturgil

Called Chris, he did not receive the complaint I emailed on 9-26. I emailed him the complaint again and he received this one. He will provide a response.

Activity 10/10/2003 10:57 AM Email: Tani Thurston << Chris Sturgil

Here is a summary of this account and a response to the complaint following. Customer requested service on 5/23/03 order was processed and service installed on 05/29/03. Customer paid \$88.81 only needed \$78.81 for service from 5/29/03 -6/28/03, therefore had a credit of \$10.00. Bills generated for pre-paid service from 6/26/03-7/28/03 and 7/29/03-8/28/03. Customer did not pay those bills (\$88.66 less \$10.00 credit equals \$78.66). Tel West received a payment of \$38.81 on 7/18/03 this left an owing balance of \$39.85. Attempts were made to contact customer by phone on July 29, 30, 31, Aug 1 and 4. A disconnect notice was sent on July 30. No response from customer was received until Aug 7 the day that the service was disconnected. Customer paid to reconnect service on 8/08/03, paid a rush fee which was credited back to the account because install due date was past 3 working days. Customer called in on 8/12/03 to cancel order because she claims that service was promised in 24 hours. We received a request for a refund on 8/15/03 the refund was processed and a check was for \$84.03 was mailed to the customer on 9/15/03. Local service for this customer's area is \$39.99, this price is quoted by sales reps as \$39.99 plus taxes and surcharges. This is also in all of our advertisement. The customer paid a total of \$251.50 - (\$88.81+\$38.81+\$123.88). Customer owed a total of \$167.47 - (\$78.81+\$58.81+\$29.85-the last is the prorated amount of the last month of service). The difference is \$84.03, which is the amount that was refunded to the customer. Tel West did not delay in processing the customers refund. Refunds are processed as they are received. Per the Tel West price list the company has 30 days to process a refund. Normally the company does not take all 30 days. At the time Tel West received this request the company was processing an unusual number of refunds due to Tel west exiting several exchanges in the state of Washington. In the customers' refund request Ms. Gentry stated that she was told a refund would take 4-6 weeks, she stated that the law states 30 days. Ms. Gentry stated that if she did not receive the refund by 8/18/03 she would file a complaint with the WUTC, The Better Business Bureau and the attorney General's office. By her own statement Ms. Gentry knew that a refund could take up to 30 days. Please let me know if you need more detailed information on this account.

Activity 10/14/2003 12:24 PM Email: Tani Thurston >> Chris Sturgil

I'm afraid the billing information you provided does not contain enough information for me to ensure the company is refunding appropriately. Please provide the billing information in the following format:

Example:

10/2 bill 100.00current chgs, 50.00past bill, 150.00total due, due 10/20

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10/18 paid 100.00, 50.00total due  
10/22 late notice 50.00, due 11/3  
10/28 cust called - arg to pay 50.00 on 11/5 at paystation. Co agreed.  
11/2 bill 100.00current chgs, 50.00past bill, 150.00total due 11/20  
11/21paid 50.00, 100.00total due  
If you have any questions, please contact me.

Activity 10/28/2003 02:18 PM Email: Tani Thurston >> csturgul  
Please provide status of this request. Thank you. Tani

Activity 12/10/2003 09:32 AM Email: Tani Thurston << Delivery Report  
Received Relay Report stating email was successfully delivered to cstrugul@telwestservices.com.

Activity 12/10/2003 09:33 AM Email: Tani Thurston >> Chris Sturgul  
Did you receive this email? Please respond to it.

Activity 12/17/2003 10:45 AM Voice Mail: Tani Thurston >> Chris Sturgul  
Called Chris; left voicemail giving dates of my request for additional billing information. However, even though I received a confirmed delivery on the 12-10 email, his name on the email address appears to be incorrect. Asked him to call me.

Activity 12/22/2003 01:32 PM Voice Mail: Tani Thurston << Chris Sturgul  
Voicemail from Chris saying he didn't get any recent emails. None in November. He replied already to this complaint. He will ask his IT people to check on this. He was having problems with his emails. He will be on vacation but will reply to my request.

Activity 12/22/2003 01:34 PM Email: Tani Thurston << Chris Sturgul  
Here is the information that I have about *Identifying information withheld at customer's request*. I show that I replied to your email on 10/28. I'll have our IT people look into why I haven't gotten any other emails from you.

5/23 paid \$88.81  
5/23 \$78.81 current charges, 0.00 past due, 78.81 total due  
5/23 10.00 credit  
6/8 bill 58.81 current charges, 10.00 credit, 48.81 total due, due 6/28  
7/8 bill 29.85 current charges, 48.81 past due, 78.65 total due, due 7/28  
7/18 paid 38.81, 39.85 total due  
7/28 disconnect notice 39.85 due 8/6  
7/29 late/disconnect notice call  
7/30 late/disconnect notice call  
7/31 late/disconnect notice call  
8/1 late/disconnect notice call  
8/4 late/disconnect notice call  
8/7 service disconnected  
8/7 customer called to find out how much to pay to reconnect, 103.88  
8/8 customer paid 123.88 (customer added 20.00 for rush reconnect)  
8/11 received FOC for reconnect, date is 8/14  
8/15 received fax from customer for refund  
9/15 refund check mailed to customer, 84.03(123.88-39.85=84.03)

Activity 12/24/2003 08:54 AM Action: Tani Thurston

Review of complaint:

5-23-03 customer ordered service

5-23 bill 78.81cc; 0pd; 78.81t 5-29 to 6-28

5-23 88.81pmt; 10.00cr

5-29 service installed

6-8 bill 58.81cc, 10.00cr bal; 48.81t due 6-28 6-26 to 7-28

7-8 bill 29.85 prorated?; 48.81pd, 78.65t; due 7-28 7-29 to 8-28?

7-18 38.81pmt 39.85 due

7/28 disconnect notice 39.85 due 8/6

7/29 late/disconnect notice call

7/30 late/disconnect notice call

7/31 late/disconnect notice call

8/1 late/disconnect notice call

8/4 late/disconnect notice call

8/7 service disconnected

8-8 123.88 pmt to reconnect 123.88

20.00 rush reconnect fee

39.85 pd

64.03 look at tarif for reconnect charges

8-12 customer cancelled order

Company refunded 84.03.

Customer wants refund of 189.00

Activity 01/07/2004 05:00 PM Email: Tani Thurston >> Chris Sturgul

The customer was disconnected for 39.85 on 8-7-03. Why was the customer required to pay 103.88 (+ 20.00 reconnect charge) for restoral? There is a difference of 64.03. Was there another bill that came out? Please advise.

Activity 02/04/2004 11:19 AM Voice Mail: Tani Thurston >> Chris Sturgul

Called Chris; left voicemail asking if he received my 1-7-04 email. Read the email to him. Asked him to respond.

Activity 02/19/2004 02:00 PM Email: Gail Griffin-Wallace >> telwest

sent copy of complaint to mat meyers & don taylor requesting response

Activity 03/22/2004 07:50 AM Email: Gail Griffin-Wallace >> TelWest

You have still not responded to Tani's question of 1/7/04 (see below). I am recording a violation of WAC 480-20-166(8). I will continue to record daily violations until you response is received.

Gail

Activity 03/29/2004 06:53 PM Email: Gail Griffin-Wallace << Chris Sturgul

This is the break down of charges

39.85 Owing balance

20.00 Reconnect fee

44.03 Pre paid service with taxes and surcharges = 103.88

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Activity 04/09/2004 08:27 AM Action: Tani Thurston  
Reassigned Complaint to Tani Thurston.

Activity 04/09/2004 08:50 AM Action: Tani Thurston  
Review of complaint:

5-23-03 customer ordered service  
5-23 bill 78.81cc; 0pd; 78.81t 5-29 to 6-28  
5-23 88.81pmt; 10.00cr  
5-29 service installed  
6-8 bill 58.81cc, 10.00cr bal; 48.81t due 6-28 6-26 to 7-28  
7-8 bill 29.85 prorated?; 48.81pd, 78.65t; due 7-28 7-29 to 8-28?  
7-18 38.81pmt 39.85 due  
7/28 disconnect notice 39.85 due 8/6  
7/29 late/disconnect notice call  
7/30 late/disconnect notice call  
7/31 late/disconnect notice call  
8/1 late/disconnect notice call  
8/4 late/disconnect notice call  
8/7 service disconnected  
8-8 123.88 pmt to reconnect 123.88  
20.00 rush reconnect fee  
39.85 pd  
44.03 prepaid services  
20.00 difference why???  
8-12 customer cancelled order  
Company refunded 84.03.  
Customer wants refund of 189.00

Activity 04/09/2004 09:23 AM Email: Tani Thurston >> Don Taylor

Don: I reviewed this complaint again. Chris did reply to Gail on 3-29-04. However, I still have questions. But I think I'm really close to closing this. Just need a couple of simple questions answered.

Here's a recap of the complaint:

This customer ordered service on May 2003. Customer was not advised that there would be taxes and fees in addition to the monthly charges.

Service was disconnected in August 2003 due to nonpayment. Customer paid to restore. But then she cancelled service on 8-12-03.

Customer believes she overpaid for service.

Customer requested refund of 189.00.

Company refunded 84.03.

So this is the account history:

5-23-03 customer ordered service  
5-23 bill 78.81current charges; 0past due; 78.81total due 5-29 to 6-28  
5-23 88.81pmt; 10.00cr  
5-29 service installed  
6-8 bill 58.81cc, 10.00cr bal; 48.81t due 6-28 6-26 to 7-28  
7-8 bill 29.85current charges; 48.81past due, 78.65total; due 7-28 7-29 to  
8-28  
7-18 38.81pmt 39.85 due

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7/28 disconnect notice 39.85 due 8/6

7/29 late/disconnect notice call

7/30 late/disconnect notice call

7/31 late/disconnect notice call

8/1 late/disconnect notice call

8/4 late/disconnect notice call

8/7 service disconnected

8-8 123.88 pmt to reconnect 123.88

- 20.00 rush reconnect fee

- 39.85 pd

- 44.03 prepaid services

20.00 difference

8-12 customer cancelled order

Company refunded 84.03.

Customer wants refund of 189.00

Here's my questions:

1) What date was the 5-23-03 bill due?

2) I believe the company issued an invalid disconnect notice on 7-28-03. The 7-8 bill was due on 7-28. Only 48.81 was past due on that bill. On 7-18 the customer paid 38.81 leaving 10.00 of the 48.81 past due on 7-28. The disconnect notice required 38.81 instead of 10.00. The current charges of 29.85 on the 7-8 bill did not become delinquent until 7-29. So those charges could not be considered past due yet, and therefore could not

be included in the 7-28 notice. Do you agree with my assessment of this? If not, please explain why.

3) Customer paid 123.88 to reconnect service on 8-8-03. Here's Chris' breakdown of this amount:

20.00 reconnect charge

39.85 past due notice

44.03 prepaid service

103.88

The difference between what the customer paid and this 103.88 is 20.00. Why did the customer have to pay an extra 20.00?

4) The customer paid:

88.81

38.81

123.88

251.50

The company billed:

78.81 to 6-28

58.81 to 7-28

29.85 to 8-28

44.03 to 9-28

20.00 reconnect charge

231.50

Here's my calculations of what the customer should have paid:

78.81 to 6-28

58.81 to 7-28

10.00 prorated to 8-7 when she was disconnected

5.00 prorated from 8-8 restoral date to 8-17 when she cancelled service.

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152.62

Since it appears the 8-7-03 disconnection of service was invalid, I don't believe the customer should have to pay the 20.00 reconnect charge. The difference between what the customer paid and what I believe the company should charge is 98.88. The difference between what the company refunded and 98.88 is 14.85. I believe an additional 14.85 should be refunded back to the customer. Please let me know if you agree. And if you don't, please explain why.

Activity 04/09/2004 10:33 AM Email: Tani Thurston << DON TAYLOR

If a \$14.85 refund/credit will close this complaint, I will recommend that Tel West do so.

Activity 04/09/2004 10:35 AM Email: Tani Thurston >> DON TAYLOR

Actually, Don. Credits are great but we need answers/information to complete our investigations. So if you could please provide the answers, that would help me close this complaint. Thank you.

Activity 04/12/2004 12:04 PM Email: Tani Thurston << DON TAYLOR

I have discussed this complaint with Chris Sturgul at length. Tel West's position is that the company was very accommodating to this customer, who was extremely rude and unreasonable. The customer was advised very clearly that taxes and surcharges apply in addition to monthly service and features. Tel West believes it took appropriate actions and applied fees appropriately, including late payment and reconnection fees. Tel West disagrees with your statement that "since it appears that the 8-7-03 disconnection of service was invalid, I don't believe the customer should have to pay the 20.00 reconnect charge." The customer was disconnected for nonpayment with proper written and verbal notices, and then requested reconnection of her service on 8-7-03. The reconnection fee was therefore appropriately applied to this account. Tel West has already refunded \$84.03 "unused" service, even though the customer had actually used a portion of the service for which the refund was issued. Tel West does not believe it should be required to refund any additional money to this customer.

Activity 04/14/2004 01:41 PM Email: Tani Thurston >> Don Taylor

Would you please answer this question from my 4-9 email to you?

3) Customer paid 123.88 to reconnect service on 8-8-03. Here's Chris' breakdown of this amount:

20.00 reconnect charge

39.85 past due notice

44.03 prepaid service

103.88

The difference between what the customer paid and this 103.88 is 20.00. Why did the customer have to pay an extra 20.00?

Activity 04/20/2004 07:23 AM Email: Tani Thurston >> donaldotaylor

I don't see that I received a response to this request for additional information. A response was due on 4-19.

Activity 04/20/2004 07:37 AM Email: Tani Thurston << DON TAYLOR

This is one that Chris Sturgul was addressing, and I didn't realize he hadn't gotten back to you. Chris had moved to another position and will not be involved in complaint response anymore, so I will have to get the answer from another source. May I have an extension of the deadline to today, and I will respond before 5:00 pm. Thanks.

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Activity 04/20/2004 08:26 AM Email: Tani Thurston << DON TAYLOR

It appears that there is mistake in Chris Sturgul's figures relating to the prepaid service amount for reconnection on 8-8-03. The database shows a monthly service fee of \$48.81, not \$44.03, a difference of \$4.81. There may also have been an inadvertent application of the \$20.00 reconnection fee (this is not certain or clear, but the numbers seem to support it), which would indicate that your 4/9/04 email suggesting an additional refund would be appropriate. However, I calculate the amount as \$15.22 rather than \$14.85 (\$20.00 - \$4.81 = \$15.22). Hopefully this answers your question below. Tel West will offer to refund \$15.22 to this customer in order to close the complaint. Please advise.

Activity 04/20/2004 02:00 PM Phone: Tani Thurston >> *Identifying information withheld at customer's request*

Called customer; number no longer in service.

Activity 04/21/2004 07:05 AM Email: Tani Thurston >> Don Taylor

There was another question I didn't get an answer to: What date was the 5-23-03 bill due?

Activity 04/21/2004 09:22 AM Email: Tani Thurston << DON TAYLOR

The customer ordered service on 5/23/03 and paid via Moneygram at that time for a month of prepaid telephone service, so there was not really a May 23rd "bill." The service period for that initial payment was May 29, 2003 (when service was installed) through June 28, 2003.

Activity 04/21/2004 10:56 AM Letter: Tani Thurston >> Paulette Gentry

Mailed following letter to customer:

Ref: 4-1110

File: T924-85585

April 21, 2004

*Identifying information withheld at customer's request*

Dear Ms. *Identifying information withheld at customer's request*:

I was unable to reach you by telephone to discuss your informal complaint against Tel West Communications, LLC (Tel West). You stated you cancelled service on August 3, 2003. You believed you overpaid the company and requested a refund in the amount of \$189.00. My investigation revealed that Tel West installed your service on May 29, 2003. The company disconnected your service due to nonpayment on August 7, 2003. Upon receiving payment of \$123.88, Tel West restored your service on August 8, 2003. According to the company, you cancelled service on August 12, 2003. The company's records show you paid a total amount of \$251.50. My calculations show that you should have been charged a total amount of \$152.62 for service from May 29, 2003 to August 7, 2003, and from August 8, 2003 to August 12, 2003. The company provided a refund to you in the amount of \$84.03. The company agreed to mail you an additional refund in the amount of \$15.22. Since it appears this resolves your issues, I am closing your informal complaint. If you have any questions, please contact me at 1-800-562-6150.

Sincerely,

Tani Thurston

Regulatory Analyst

Activity 04/21/2004 11:14 AM Email: Tani Thurston >> Don Taylor

Closed complaint; consumer upheld.

Violations noted:

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4 Violations: WAC 480-120-166(7)

Failure to respond to complaint within 5 business days.

Passed complaint to company on 9-26. Response due on 10-3.

Response received on 10-10

One violation for each day response was late.

89 Violations: WAC 480-120-166(8)

Failure to provide response for request for additional information within 3 business days.

1) 10-14-03 requested additional information. Response due on 10-17.

Received response on 12-12-03.

36 days.

2) 1-7-04 Requested additional information. Response due on 1-12-04.

Received response on 3-29-04.

52 days.

3) 4-14 Requested additional information. Response due on 4-19.

Received response on 4-20.

1 day.

One violation for each day response was late.

1 Violation: WAC 480-120-172(7a ii)

Failure to disclose accurate amount owing that was subject for disconnection.

The 7-8 bill was due on 7-28. Only 48.81 was past due on that bill. On 7-18 the customer paid 38.81 leaving 10.00 of the 48.81 past due on 7-28. The 7-28 disconnect notice required 38.81 instead of 10.00. The current charges of 29.85 on the 7-8 bill did not become delinquent until 7-29. On 10.00 should have been included in the disconnect notice.

Company disagrees with this violation saying the disconnect notice was correct.



**Complaint #86385**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer called to say that Tel west has local freeze on his service and will not remove. Customer states that he never asked TEL WEST for a freeze on his service. Customer is trying to port to Qwest but has been advised that Tel West needs to remove the freeze. Customer has been trying to get the freeze removed for 2 weeks without success.

Passed to TELWEST @ 1:53pm on 11-10 with copy fyi to Qwest,

Activity 11/10/2003 03:33 PM Email: Mike Meeks << Marilyn Spence

Kathy Perry will handle this. Customer Service this is a winback has to go through the process will escalate.

Activity 11/10/2003 05:36 PM Email: Mike Meeks << Kathy H Perry

Telephone Number: *Identifying information withheld at customer's request*

Summary of Customer Complaint: Tel West has local freeze on customer's account. Winback to Qwest is on hold.

Comments/Research/Solution:

We have advised customer that Winback is on hold waiting for local freeze removal by Telwest. Another alternative, if customer doesn't need to keep the same telephone number is to add service with a new telephone number. Let me know if that is an option for Mr. *Identifying information withheld at customer's request*.

Activity 11/14/2003 01:43 PM Email: Mike Meeks >> csturgul; donaldotaylor; jswickard

Has the freeze on the customer's Tel-West account been removed? Please advise.

Activity 11/14/2003 01:43 PM Voice Mail: Mike Meeks << customer

Left message for call back.

Activity 11/14/2003 01:53 PM Phone: Mike Meeks >> customer

called customer. Advised that TelWest has not responded. Advised that I have again emailed the co. for a response regarding the lifting of the freeze.

Activity 11/14/2003 02:08 PM Phone: Mike Meeks >> jeff swickard

Called to advise that I had passed this complaint. lmtcb

Activity 11/14/2003 02:31 PM Email: Mike Meeks << DON TAYLOR

I will respond to your email re: the above complaint as Chris Sturgul will be out of his office until later this month. By the way, Chris Sturgul's email address has changed to csturgul@telwestservices.com.

At the customer's request, an order to remove the local service from this account was written and issued to Qwest on 11/5/03. Tel West has discovered that Qwest issued service order N35415490 against this account, which has impeded the processing of Tel West's freeze removal order. Tel West's understanding is that Qwest must remove its order activity from the account so that Tel West's freeze removal order can be processed.

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Tel West does not understand why Qwest issued a new service order against this account before confirming that the service freeze had been removed. Further, it was Tel West's belief that no conversion orders could be passed against an account with a service freeze in effect. Any information you can provide on this matter would be appreciated.

Activity 11/14/2003 02:34 PM Email: Mike Meeks >> kperry  
I just received the following from TelWest. Please advise.

Activity 11/17/2003 08:04 AM Email: Mike Meeks << Kathy H Perry  
I have never heard of Interconnect refusing to issue a CLEC request if there is an order on hold. The order has been removed just in case there is something new/different that has not come to our attention. A copy of the new connect order has been kept to place in the system as soon as the local freeze is removed. I will do some further investigation with Interconnect and get back with you as soon as possible.

Activity 11/21/2003 10:10 AM Email: Mike Meeks << Kathy H Perry  
There is no pending order for freeze removal that I can see. The last activity was on 10/21/2003. We are still waiting for the local freeze removal in order to process Winback order.

Activity 11/21/2003 10:43 AM Email: Mike Meeks >> kperry; donaldotaylor  
Hi Kathy and Don Taylor:  
Please advise how we can get this customer switched to Qwest. Customer has asked to have his local freeze removed. Apparently the freeze is still intact. Customer cannot switch his service until the freeze is removed. I'm not sure what the technical problems are that prevent this from happening but the customer is the one that is caught in the middle. I think that WAC 480 120 167 was created for situations just like this.

Don, since the complaint was originally opened with TelWest, you will be the lead company. please contact Kathy Perry at 206 461 8020 to discuss and report back to me within 3 working days the results. This customer is calling me everyday regarding progress on his complaint.

Activity 11/21/2003 11:33 AM Email: Mike Meeks << DON TAYLOR  
Here is additional information I've obtained regarding the above complaint. When the customer requested removal of the local service freeze, Tel West issued LSR #8606457 on PON 110403PP08 on 11/4/03 to remove the freeze. Unfortunately, Qwest had already issued its own order N8606457, which caused rejection of Tel West's LSR. Tel West tried to re-submit its LSR on 11/7/03 to remove the freeze, but the LSR was again rejected. Tel West contacted the Qwest ICSC and requested cancellation of the Qwest order so that Tel West's order could be processed. The ICSC contact stated that she didn't think she could remove the Qwest order but would try and would call Tel West back. Tel West did not receive a call back from the ICSC. Per your request I will call Kathy Perry to discuss, but in order for Tel West's LSR to process, Qwest must first cancel its service order.

Activity 11/21/2003 12:24 PM Email: Mike Meeks << DON TAYLOR  
Per telephone conversation today with Kathy Perry, Qwest removed its order 35415490 on 11/17/03. Tel West had not been informed of this until my conversation with Kathy. However, based upon that new information, Tel West today re-issued PON 110403PPO (v.1) which generated LSR #8789138 to remove the local service freeze on the customer's line.

Activity 11/21/2003 12:45 PM Email: Mike Meeks << Kathy H Perry

I just talked to DonTaylor, advising that we had removed our order on 11/17/2003. He agreed to issue the order on his end to remove the local freeze. As soon as you advise me he has done that and the freeze is removed, we will put our Winback order back in the system.

Activity 11/21/2003 02:26 PM Email: Mike Meeks << DON TAYLOR

I checked with Tel West and got the following information regarding charges applicable to this customer's service. The Tel West promotion specifies that if the customer chooses to leave Tel West within 30 days the activation charge of \$79.99 will be waived. However, the charges for service provided still apply. The charges for service from 10/21/03 through 11/20/03 that do apply and should be paid to Tel West are:

Basic Service: \$19.99

Call Waiting: \$2.80

Voice Mail: \$5.60

Taxes and Surcharges: \$13.01

Total Due: \$41.40

Tel West agrees to waive the activation fee of \$79.99 given the problem with the local service freeze, even though the 30 day time period has expired. As I explained in an earlier email, when Tel West was informed today that Qwest had canceled the order which was preventing Tel West's freeze-removal order from processing, Tel West immediately issued a new LSR to remove the freeze. At last check (2:10 pm today) the order had not yet completed, but should complete within an hour or so. This, however, is not within Tel West's control as Qwest must do the work and complete the order. Once the order has been completed and the freeze removed, Qwest or another service provider can convert the customer's service.

Activity 11/24/2003 04:19 PM Email: Mike Meeks >> donaldotaylor

Do you know if the order to remove the freeze has been completed? Please advise.

Activity 11/24/2003 05:21 PM Email: Mike Meeks << DON TAYLOR

According to Tel West the order completed on 11/21/03.

Activity 11/25/2003 03:08 PM Email: Mike Meeks << Steve Oxnevad

Mike--we confirmed that TelWest removed the local freeze from the customer's CLEC account on 11/21/03. We've now released the Qwest winback, order number N37968292, with due date of 12/1/03. We can follow up for that order to complete & post, allowing the complaint to come to closure.

Activity 12/01/2003 02:49 PM Email: Mike Meeks << Kathy H Perry

Winback order N37968292 completed today. Please let me know if you need any additional information to close. Thank You.

Activity 12/04/2003 09:21 AM Voice Mail: Mike Meeks >> customer

Called customer to close.

Activity 12/04/2003 09:32 AM Email: Mike Meeks >> Don Taylor

Please provide a letter of agency or a third party verification of the customer's request for a local carrier freeze per WAC 480 120 147 (5)(c).

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Activity 12/04/2003 10:10 AM Email: Mike Meeks << DON TAYLOR

Tel West is updating its Third Party Verification process to include the customer's understanding that a local service freeze will be placed upon the line as part of the conversion to Tel West's service, and that the freeze can be removed upon request at any time by the customer. However, Tel West has no documentation regarding the local service freeze on this particular customer's account.

Activity 12/04/2003 10:26 AM Email: Mike Meeks >> Don Taylor

I am closing this complaint with 1 violation of WAC 480 120 147(5)(c). Please advise if you dispute.

Activity 01/14/2004 10:47 AM Email: Mike Meeks >> kperry

Yes, this was closed on 12-4. I advised TelWest but forgot to let you know.

**Complaint #86836**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Long distance is blocked. Was promised \$30 per month plus long distance. Asked for written material from the company but the company won't send her any.

- Unable to speak to a customer service rep.

Activity 12/15/2003 09:27 AM Email: Roger Kouchi >> Chris Sturgul  
Chris Sturgul - Please respond to this complaint. Thank you.

Activity 12/23/2003 10:52 AM Email: Roger Kouchi >> chris sturgul  
Chris - I have recorded a violation of WAC 480-120-166(7) for failure to respond within the required 5 business days. Please provide the required initial response. Thank you.

The company must report the results of its investigation of nonservice-affecting informal complaints to commission staff within five business days from the date commission staff passes the complaint to the company [WAC 480-120-166(7)]. Nonservice-affecting complaints include, but are not limited to, billing disputes and rate quotes.

Activity 12/23/2003 11:52 AM Email: Roger Kouchi << DON TAYLOR  
The new Tel West primary contact for complaints is Mat Myers at mmyers@telwestservices.com, phone number 206-577-6339. This information has been provided to the WUTC staff on at least two occasions. Also, this is the first I've seen of this particular complaint, and as the secondary Tel West contact for complaints, I am supposed to be copied on all correspondence. I will forward this to Mat for his immediate attention as I doubt he has seen it yet or had an opportunity to reply.

Activity 12/31/2003 09:19 AM Email: Roger Kouchi >> don taylor  
Don - Do you have an update for me? Thank you.

Activity 12/31/2003 09:35 AM Email: Roger Kouchi << DON TAYLOR  
I will check and get back to you. I know people are having trouble getting to work today due to snow, but I will report back to you as soon as I have updated information.

Activity 12/31/2003 10:45 AM Email: Roger Kouchi >> don taylor  
Don Taylor - Consumer is unhappy with the responsiveness of Tel West. Wants to change to Qwest. Qwest tried to process the request to port number over. However, Tel West has a PIC freeze on the consumer's line. Please take action to port consumer's number over to Qwest. Please let me know what Tel West is doing to expedite this matter. Thank you.

Activity 12/31/2003 11:46 AM Email: Roger Kouchi << DON TAYLOR  
Tel West is issuing the freeze removal order to Qwest right now. It should have a due date of today, but I will confirm that once the order has been received and acknowledged by Qwest.

Activity 12/31/2003 04:10 PM Email: Roger Kouchi << DON TAYLOR  
Order R41669036 was issued today, due date today, to remove the freeze from Ms. *Identifying information*

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*withheld at customer's request* line.

Activity 01/02/2004 11:07 AM Email: Roger Kouchi >> qwest

Qwest - Please let me know how much longer before Qwest can activate line for consumer. Thank you.

Activity 01/02/2004 12:56 PM Email: Roger Kouchi << Alesia Graham

I will be processing this inquiry.

Activity 01/02/2004 01:15 PM Email: Roger Kouchi << Alesia Graham

Customer Telephone Number *Identifying information withheld at customer's request*

Summary of customer complaint: inquiry

Comments/Research/Solution: I show order number R41669036 due date 12/31/2003 however the order does not show completed in my database. I show a pending order number N45032559 for telephone number *Identifying information withheld at customer's request*. I have referred this to the winback group for assistance.

Follow-up Date: \_\_\_\_\_ Reason:

Please notify when ready to close

Activity 01/02/2004 03:42 PM Email: Roger Kouchi << Alesia Graham

Customer Telephone Number *Identifying information withheld at customer's request*

Summary of customer complaint: inquiry

The scheduled due date for order number N45032559 for telephone number *Identifying information withheld at customer's request* is 1/8/2004

Activity 01/08/2004 10:06 AM Email: Roger Kouchi >> alesia graham

Alesia - Please confirm that the consumer's phone is working at this time. Thank you.

Activity 01/08/2004 10:30 AM Email: Roger Kouchi << Alesia Graham

*Identifying information withheld at customer's request* service is in and working.

Activity 01/08/2004 10:30 AM Email: Roger Kouchi << Alesia Graham

please correct your record the customer telephone number is *Identifying information withheld at customer's request*.

Activity 01/08/2004 10:44 AM Voice Mail: Roger Kouchi >> consumer

LWTC on VM to close investigation. Qwest service is working. NOTE: Still looking into issue of the switch to Tel West (i.e., authorization; PIC Freeze).

Activity 01/08/2004 10:47 AM Email: Roger Kouchi >> mat meyers or don taylor

Mat or Don - Still need documentation on the PIC freeze authorization by Tel West. Also, consumer said they signed up for \$30 per month plus long distance. What did Tel West promise to provide this consumer??

Activity 01/08/2004 03:48 PM Email: Roger Kouchi << Mat Myers

I looked through the customer's account and found that the long distance service was provisioned incorrectly. The customer's service was fixed. When I called to verify with the customer they said that the service was working correctly and the freeze had been lifted. This was a customer who had signed up prior to TelWest updating their Verification process adding the PIC Freeze acknowledgement. Please let

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me know if there is anything else I can answer.

Activity 01/14/2004 04:40 PM Email: Roger Kouchi >> mat meyer  
Mat or Don -Consumer said they signed up for \$30 per month plus long distance.  
What did Tel West promise to provide this consumer??

Activity 01/14/2004 05:32 PM Email: Roger Kouchi << Mat Myers  
The offer was for \$29.99 per month. This would include 3 features and 200 minutes of long distance per month, with additional minutes being \$0.05 per.

Activity 01/20/2004 01:33 PM Email: Roger Kouchi >> mat meyers or don taylor  
Mat or Don - Please provide the required documentation for the PIC freeze. Thank you.

Activity 01/20/2004 01:43 PM Email: Roger Kouchi << Mat Myers  
This customer signed up with Tel west prior to the TPV script being revised to inform customers of the PIC Freeze. The PIC freeze was mistakenly placed on this account. Please let me know if I can answer anything else!

Activity 01/20/2004 01:51 PM Email: Roger Kouchi >> mat meyers  
Mat Meyers - I have recorded a violation of WAC 480-120-147(5)(c) for Tel West's failure to get the proper authorization for the PIC freeze. I will consider this complaint investigation closed. Please let me know if you have any questions. Thank you.

WAC 480-120-147 Changes in local exchange and intrastate toll services.

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(a) All LECs must notify all customers of the availability of a preferred carrier freeze, no later than the customer's first telephone bill, and once per year must notify all local exchange service customers of such availability on an individual customer basis (e.g., bill insert, bill message, or direct mailing).

(b) All carrier-provided solicitation and other materials regarding freezes must include an explanation, in clear and neutral language, of what a preferred carrier freeze is, and what services may be subject to a freeze; a description of the specific procedures to lift a preferred carrier freeze; an explanation that the customer will be unable to make a change in carrier selection unless he or she lifts the freeze; and an explanation of any charges incurred for implementing or lifting a preferred carrier freeze.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

Activity 01/20/2004 03:56 PM Email: Roger Kouchi >> mat meyers

Complaint closed.



**Complaint #86904**

Gabriela Martinescu  
12741 SE 191st Place  
Renton WA, 98058

Tel West Communications, LLC

Did not authorize switch for such high rates. Agreed to accept Tel West for the promised rate to Romania of 8 cents per minute. Tel West put PIC Freeze on account. Did not authorize the PIC freeze. Wants Tel West to release the PIC freeze so she can change back to Qwest.

Activity 12/18/2003 12:20 PM Email: Roger Kouchi >> Chris Sturgul  
Chris Sturgul - Please respond to this complaint. Thank you.

Activity 12/26/2003 09:17 AM Email: Roger Kouchi >> mat meyers  
Mat Meyers - Please respond to this complaint. Thank you.

Activity 12/30/2003 01:39 PM Email: Roger Kouchi << DON TAYLOR  
I learned today that Mat Myers is out of the office on vacation. I am requesting another Tel West staff member to research and provide me with the information to respond to this complaint. I will respond on behalf of Tel West as soon as I have the information I need.

Activity 12/30/2003 02:32 PM Email: Roger Kouchi << DON TAYLOR  
Tel West's telemarketing agent incorrectly quoted long distance rates to Romania to this customer. Tel West regrets this error and will credit the customer for all calls made to Romania above the quoted rate. Tel West will also immediately order removal of the PIC Freeze from this customer's account.

Activity 01/02/2004 11:36 AM Email: Roger Kouchi >> qwest  
Qwest - Tel West informed me that it has taken steps to release the line to Qwest. Is Qwest processing the order from the consumer? What is the status of the order? Thanks.

Activity 01/02/2004 12:49 PM Email: Roger Kouchi << Alesia Graham  
Kathy will be processing this inquiry.

Activity 01/07/2004 04:42 PM Email: Roger Kouchi >> kathy perry  
Kathy - Do you have an update for me? Thanks.

Activity 01/08/2004 07:51 AM Email: Roger Kouchi << Kathy H Perry  
Telephone Number: 425-227-4834  
Summary of Customer Complaint: Misquoted long distance rates, changed carriers. Wants to do a Winback to Qwest, local freeze exists on account.  
Comments/Research/Solution:  
This account was a Winback to Qwest on 12/30/2003 on N40603186. Please let me know if you need any additional information.  
X Please Notify when ready to close.

Activity 01/15/2004 09:20 AM Email: Roger Kouchi >> kathy perry

Kathy - Tel West informed me that it has released the line. Did Qwest install service yet?

Activity 01/19/2004 07:47 AM Email: Roger Kouchi << Kathy H Perry  
Yes, the line was installed on 12/30/2003, on N40603186.

Activity 01/20/2004 01:23 PM Phone: Roger Kouchi >> consumer  
consumer satisfied. ok to close.

NOTE: I need to document violation of rules prior to closing with Tel West.

Activity 01/20/2004 01:25 PM Email: Roger Kouchi >> don taylor or mat meyers  
Mat or Don - Please provide the required documentation for the PIC freeze to Tel West.

Activity 01/20/2004 01:43 PM Email: Roger Kouchi << Mat Myers  
This customer signed up before Telwest had made the addition to it's TPV script informing the customer of the PIC Freeze. The PIC freeze was mistakenly added to this customers account by order typist. Please let me know if I can provide anything else.

Activity 01/20/2004 03:27 PM Email: Roger Kouchi >> Mat Meyers  
Mat Meyers - I have recorded a violation of WAC 480-120-147(5)(c) for Tel West's failure to document the authorization for the PIC Freeze. Please feel free to contact me if you have questions. Thank you.  
WAC 480-120-147 Changes in local exchange and intrastate toll services.

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(a) All LECs must notify all customers of the availability of a preferred carrier freeze, no later than the customer's first telephone bill, and once per year must notify all local exchange service customers of such availability on an individual customer basis (e.g., bill insert, bill message, or direct mailing).

(b) All carrier-provided solicitation and other materials regarding freezes must include an explanation, in clear and neutral language, of what a preferred carrier freeze is, and what services may be subject to a freeze; a description of the specific procedures to lift a preferred carrier freeze; an explanation that the customer will be unable to make a change in carrier selection unless he or she lifts the freeze; and an explanation of any charges incurred for implementing or lifting a preferred carrier freeze.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

Activity 01/20/2004 03:28 PM Voice Mail: Roger Kouchi >> consumer  
Wanted to discuss complaint.

NOTE: Returned call. Call did not go through. Will try again later.

Activity 01/22/2004 03:46 PM Email: Roger Kouchi >> mat meyers

Consumer is disputing the Tel West bill for \$56.32 (1/1/04) because she did NOT get what was promised. She was unable to make any long distance calls. Consumer wants Tel West to consider a courtesy adjustment of the entire amount owing. Thank you.

Activity 01/22/2004 04:25 PM Email: Roger Kouchi << Mat Myers

After researching this account, we would like to respectfully decline to credit Mrs. Martinescu's service fees. The customer was able to make long distance calls while on service with Tel West. The disputed charges for calls to Romania were offered to her at \$0.07 per minute as a compromise after she spoke to our customer service department. She accrued no charges for calls to Romania while on our platform. Let me know if there is anything else I can provide for you!

Activity 01/22/2004 04:47 PM Email: Roger Kouchi >> Mat Meyers

Consumer is saying that she was unable to place calls to Romania using Tel West and that is why she had to use a prepaid calling card. Would Tel West be willing to give a 50 percent courtesy adjustment? Let me know. Thanks.

Activity 01/27/2004 07:10 PM Email: Roger Kouchi << Mat Myers

Sorry for the delay in response to your latest email. Telwest is willing to remove \$10 from her owing balance as a courtesy for the miscommunication and any problems that Ms. Martinescu may have had throughout this process. Please let me know if I should move forward with this or if I can provide any more information to you.

Activity 01/28/2004 10:30 AM Phone: Roger Kouchi << consumer

Informed consumer of findings. Unhappy. Referred to AG's and FTC for marketing/advertising practices.

**Complaint #86938**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Mr says Tel West slammed his local and long distance service about 3 weeks ago, causing him to have no long distance cabability or voice mail. Mr said he had a freeze on at Qwest for it's service. He is now switched back, but is very upset this happened and said he won't pay Tel West for any charges. He said that a telephone marketer called him and he said he wouldn't switch by phone to Tel West, but they could send him info by mail of their packages. The rep told him once he got the package, if he wanted the service to call Qwest and get his freeze lifted. However, the rep put him through to a third party verifier. Mr said he thought that was strange and said so. The rep said it was just for the information package, but not to ask the tpv any questions. He did not call Qwest nor Tel West for service. However, he was switched to Tel West and a freeze was put on his line.

12/22/03 10:10)passed to Chris Sturgul at Tel West via email.

Activity 12/22/2003 02:51 PM Email: Diana Otto << Chris Sturgul

I checked we don't have this file from TPV. I've sent a request for the file and we should get it by 12/23. "ll send it to you as soon as I get it.

Activity 12/30/2003 04:04 PM Email: Diana Otto >> Chris

Chris, do you have the TPV file yet? Diana

Activity 01/12/2004 04:09 PM Email: Diana Otto >> Chris, cc Don Taylor

Chris, on 12/22/03, I emailed this complaint to you. The same day, you advised me that you would have a copy of the TPV tape by 12/23/03. On 12/30/03, I emailed you asking if you'd received it yet. To date, I've had no information from you on the complaint investigation. I'm recording a violation for failure to respond timely to the complaint initially - WAC 480-120-166(7), which requires you to provide results of the investigation within 5 business days. I'm also recording a violation of WAC 480-120-166(8) for failure to respond within 3 business days to my 12/30/03 request for additional information. This rule requires a response within 3 business days. As of tomorrow, 1/13/03, I will begin to record daily violations for failure to respond until I receive a proper response from you. Diana

Activity 01/12/2004 04:33 PM Email: Diana Otto << DON TAYLOR

Chris Sturgul no longer has responsibility for provisioning issues, including complaint response. He has been replaced by Mat Myers at 206-577-6339, mmyers@telwestservices.com I will forward this message to Mat and ask him to respond immediately. Please continue to copy me on all correspondence to Tel West.

Activity 01/12/2004 05:18 PM Email: Diana Otto << Mat Myers

We are pulling up the customer's TPV file. I am concerned about the format that we have the file. It is only playable in the proprietary player that is specific to this Third Party Verification company. If the customer did indeed go through third party verification as he states, then I think we can solve this problem without the verification file as it will tell us only that he did go through it even if he didn't understand what was going on. I can change the customer's billing to negate all charges on their account. I can call the customer to inform him of the resolution. Please let me if this will solve the problem.

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Activity 01/20/2004 02:03 PM Email: Diana Otto >> Mat

Mat, welcome to working with us here in Consumer Affairs. Thank you for your response. It is not necessary for you to call the customer as I will inform him of the outcome of the complaint. Please advise me of the amount you will credit which will clear the balance. As to the TPV, if you won't be supplying it to me, then I have no other option but to record a violation for slamming the customer - assuming that was done. I'll be recording a violation of WAC 480-120-147. Please let me know if this changes your idea of whether to supply it to me or not. As soon as I get the credit amount, I'll call the customer to close. Thanks.

Activity 01/20/2004 06:44 PM Email: Diana Otto << Mat Myers

Thanks so much for your warm welcome. Attached is the Third Party Verification recording of Mr. *Identifying information withheld at customer's request* signing up for Tel West's services. The 'VCE Player' has been sent to your office and should be available from Roger Kouchi. I had not meant for our offer to clear his account balance to be taken as an admission of guilt, more as a chance to repair a damaged repair. After further review of Mr. *Identifying information withheld at customer's request* account, we will require Mr. *Identifying information withheld at customer's request* to pay the balance owed on his account. Mr. *Identifying information withheld at customer's request* had our service from December 3rd, 2003 (C37278053) to December 22nd, 2003 (D45302290). The service charges for 20 days plus tax equals \$25.55. Also, I would like to make sure that all further emails to me also be cc'd to Don Taylor at donaldotaylor@email.msn.com.

NOTE: MAT ATTACHED A FILE TO THIS EMAIL WHICH I COULD NOT OPEN.

Activity 01/21/2004 12:53 PM Email: Diana Otto >> Mat, cc Don

Mat, my apology. I have no way of reminding myself to include Don unless I open up our rolodex file for Tel West which I don't normally need to do when I'm replying to emails. I will do my best in the future to remember and sorry for any inconvenience that it may have caused. I'm unable to open the TPV you attached. I talked with Roger and he said that someone converted it into a wav.file for him. Here's his message to me: Frank J. KOHLER (fkohler@capitolco.com) converted the VCE player to a wave file for me. Apparently he's at Tel West. Could you have your attachment converted for me also?

Activity 01/21/2004 06:02 PM Email: Diana Otto << Mat Myers

I don't have the ability to convert the file, or probably more accurately, I have not been able to figure out how. I am not familiar with Frank Kohler, but am cc'ing him on this email to see if he can help us convert the file.

Frank,

This is Mat from Telwest. Thanks for helping us! How can I convert the VCE files to .WAV files? I am not able to figure it out using the VCE Player or windows media. I have attached the VCE file to the email if that helps you out at all. Thanks again for your help, Frank!

Activity 01/22/2004 11:12 AM Email: Diana Otto << Frank J. KOHLER

I received the following cc copy of an email between Frank and Mat:

Mat,

The VCE player, sadly, does not have the capability to do conversions. I'm currently working on a solution for coping with the VCE's proprietary nature. In the mean time if you are ever in need of an audio, you can email it to audiorequest@capitolco.com and we will email you a WAV formatted copy. If you have any questions please let me know.

Thanks,

Frank

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Activity 01/22/2004 11:23 AM Email: Diana Otto << Mat Myers

The below email was cc'd to me from Mat:c Can you please convert this file to .WAV format? I have attached the file in question.

Activity 01/22/2004 04:18 PM Email: Diana Otto << Mat Myers

I received a cc copy of the following email from Mat:

Thanks Frank,

After speaking with my Administrator, I won't be able to get my settings changed anytime soon. Can you send the WAV file to [dotto@wutc.wa.gov](mailto:dotto@wutc.wa.gov)? Thanks for all your help Frank!

Activity 01/24/2004 11:24 AM Email: Diana Otto << Mat Myers

I received a cc copy of the following email from Mat: Hi Jim. I didn't receive it, but can you send it to dotto@wutc.wa.gov? That is where I was going to send it anyway.

-----Original Message-----

From: Jim Kirchman [mailto:jkirchman@capitolco.com]

Sent: Saturday, January 24, 2004 9:26 AM

To: mmyers@telwestservices.com

Cc: Frank J. KOHLER

Subject: RE: VCE file conversion to .WAV

We sent you the wave file but your system administrator rejected our message since the file size was too big. Did you receive it?

Activity 01/26/2004 06:21 AM Email: Diana Otto << Jim Kirchman

To Whom It May Concern,

Attached is the wave file requested by Mat Myers from Telwest Services - hope this helps.

<<750863118.wav>> - 750863118.wav

NOTE: I listened to the third party verification tape and found Mr approved the switch to Tel West on 11/11/03 for local, instate and state to state long distance and international calls. Mr clearly answered yes to all services - local, local toll, state to state long distance and international calling. He signed up for the Value package @ \$29.99/mo., plus taxes and surcharges. He was given a \$10 credit in his welcome package which he could use against his first month's service. He gave his address and his date of birth as 1/15/54.

The tpv clearly asked at the beginning of the call if Mr had made a decision to switch his service to Tel-West. He said yes. She explained that Qwest was not affiliated with Tel West and he said yes, he understood. She stated that he had selected the Value plan and he didn't disagree. He said he was authorized to make the switch to Tel West. At the end of the recording the TPV stated that Tel West may do a limited credit review to determine eligibility and if so, will process the change to Tel West within 30 days. The tape was good quality and very clear. It appears Mr's approved the switch to Tel West for service.

PLEASE NOTE THAT YOU HAVE TO OPEN THE ACTIVITY TO SEE THE WAV FILE ATTACHMENT.

Activity 01/26/2004 09:33 AM Email: Diana Otto >> Jim, cc to Mat & Don

Thanks. I got the wav file.

Activity 01/26/2004 09:46 AM Email: Diana Otto << Diana Otto

I received an email failure report attempting to send the following email to Mat Meyers. I tried it twice and both times it cam back as a delivery failure: Thanks. I got the wav file.

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Activity 02/04/2004 12:58 PM Phone: Diana Otto >> Mr called Mr - left detailed message on his home voice mail that I've listened to the third party verification tape and it could not be any clearer in that it appears he understood he was actually switching the service to Tel West and what was said that made it clear. I pointed out that the tpv asked him if it was his decision to switch to Tel West; did he want his service switched to Tel West for local, local toll, state to state long distance and international calling and he individually said yes to each; she pointed out that a limited credit review would be done to determine eligibility and if so, his account would be processed within 30 days to Tel West; that he understood Tel West was not affiliated with Qwest; and did he authorize the switch - yes; gave his address and his birth date as proof that he wanted the switch. I told Mr that as a result of the tpv tape, I am unable to help him. That he will be responsible for paying the \$25.55 balance owing for 20 days of service. I explained that if he has questions or wants to hear the tpv to please contact me.

Activity 02/04/2004 01:06 PM Email: Diana Otto >> Mat Meyers, cc Don Mat, I've left a detailed message for the customer that I've found for the company and why on this complaint and that he is responsible for paying the balance left owing of \$25.55. Thank you for providing the third party verification tape. It was unbelievable clear and I can't imagine why the customer thought his service would not be changed to Tel West. However, I admit that I did not hear what he was told by the telemarketer to convince him otherwise. At this point, I'm closing the complaint. Thanks for your assistance. Diana

Activity 02/05/2004 09:10 AM Phone: Diana Otto << Mr received two voice mails (one following immediately after the other) from Mr stating that he is in disagreement with my findings and says the complaint isn't closed yet. He said if I would review my transcript, if I have such a thing, he will see that he told me that the marketer conned him into talking with the third party verifier and that he was told to say yes to everything. But he had told the marketer he didn't want anything except information. He said he feels foolish, but he was conned and he isn't going to pay the money and let this company get away with this. He said he had a freeze on his service with Qwest and this shouldn't have happened. He says that he was slammed and that is the his God's truth. Mr went on to say that it doesn't even make sense that he wanted Tel West's service because if I would look at it he was only with Tel West for two weeks. If he really wanted it's service it would have taken him longer than that to figure out that he didn't want their service. He has two businesses and he wouldn't have done this. He lost his voice mail and he lost money over this. He again said he won't pay the outstanding bill and he asked me to please help him with this. He said his home number is *Identifying information withheld at customer's request* and his work number is *Identifying information withheld at customer's request* and he's in there between 9 am and 1pm. Finally, he said he understood I didn't work on Thursdays or Fridays so he hoped I would call him back next week.

Activity 02/06/2004 12:09 PM Phone: Diana Otto >> Mr called Mr's wk # - I explained thoroughly why I'm unable to help him - taped third party verification is very clear that he wanted to switch and understood he was switching. I explained for him to pursue further, it will be necessary for him to file a formal complaint and find the company in violation of a rule, tariff/price list, law or Commission order. I explained the burden of proof will be on him and that he would have to file testimony and exhibits, etc., and the company will, too, and that it will be heard in front of one of our admin. law judges. Mr admits he has no way to prove he was slammed, but he wants the formal complaint info. He said he will call the company one more time and explain that he's going to file a formal and see if the company will remove the bill. He will not pay it and doesn't want it

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on his credit. If they won't remove it, he'll file a formal complaint. He thanked me. We confirmed his address. Mr understands there is nothing more I can do for him.

Activity 02/06/2004 12:24 PM Email: Diana Otto >> Jim Hazzard  
Please mail: WAC 480-09, WAC 480-120 and a formal complaint fact sheet to:  
*Identifying information withheld at customer's request*

Activity 02/06/2004 01:31 PM Email: Diana Otto << Jim Hazzard  
WAC 480-09 has been replaced by WAC 480-07. As a result, I'm waiting for updates to the Formal Complaint fact sheet and any of the other WAC's that refer to 480-09. I hope to have all the updates ready to mail by the beginning of next week.

Activity 02/09/2004 08:56 AM Email: Diana Otto >> Jim Hazzard  
Jim, Vicki and I discussed this and think since 480-07 isn't yet available, that it would be appropriate to send 480-09 at this time. This is a formal complaint issue and the customer's, if they are going to act on a formal complaint, need to do so quickly. If 480-09 isn't available today, please let me know. Thanks.  
Diana

Activity 02/09/2004 10:05 AM Email: Diana Otto << Jim Hazzard  
I've got the 480-07. I can get an updated copy of 480-120 from Lisa in Records. I'll make the change on the Formal Complaint fact sheet and have it all in the mail this morning.

Activity 02/09/2004 10:48 AM Email: Diana Otto >> Jim  
Oh, I'm sorry. I misunderstood. Thanks a bunch. Diana



**Complaint #87418**

Alfred Emmert  
3700 Kitty Hawk Drive NW  
Bremerton WA, 98312

Tel West Communications, LLC

Tel West put a PIC freeze on line. Wants to switch back to Qwest. Tel West did not keep promises on cost of service. Wants to keep the same number.

- Wants Tel West to remove PIC freeze.

Activity 01/26/2004 10:42 AM Email: Roger Kouchi >> Mat Meyers  
Mat Meyers - Please respond to this complaint. Thank you.

Activity 01/26/2004 11:01 AM Email: Roger Kouchi << Marilyn Spence  
Steve Oxnevad will handle this

Activity 01/28/2004 11:20 AM Email: Roger Kouchi << Steve Oxnevad

Alfred A Emmert and spouse Alice, originally had Qwest local service under account 360-373-0528-978. Established 10/1/59 credit class A no deposit. On 12/26/03, we received a PON from CLEC TelWest to discontinue & port our service as of 12/30/03.

The order completed and account went final. On 1/16/04, Alice Emmert contacted us to request a winback to Qwest. A pending order was initiated and put on hold, due to the fact that the CLEC account had local service freeze in place. On 1/19/04, we sent a letter to the end user advising them that the winback could not proceed until the local freeze was removed by the CLEC. And on 1/24/04, we also called the Emmert's to advise them of the same, that they would need to contact TelWest to make that clear. To date, our interconnect group has not received any such request from TelWest. Let me know if you hear anything back from the CLEC and I'll continue to follow up for the winback order, on behalf of the end user.

Activity 02/03/2004 11:45 AM Email: Roger Kouchi >> mat meyers

Mat Meyers - I have recorded a violation of WAC 480-120-166(7) for failure to provide the initial response within the required 5 business days. Please provide the initial response. The company must report the results of its investigation of nonservice-affecting informal complaints to commission staff within five business days from the date commission staff passes the complaint to the company [WAC 480-120-166(7)]. Nonservice-affecting complaints include, but are not limited to, billing disputes and rate quotes.

Activity 02/04/2004 02:37 PM Email: Roger Kouchi << Mat Myers

Sorry for the delay in response. The line freeze has been removed from the customer's account. The order number is R47989120, Due to complete today, 2/4/04. Please let me know if there is anything else I can do for you!

Activity 02/05/2004 12:36 PM Email: Roger Kouchi >> steve oxnevad

Tel West informed me that they removed the PIC freeze. Is Qwest proceeding to install service?

Activity 02/05/2004 04:01 PM Email: Roger Kouchi << Steve Oxnevad

Roger-I confirmed that interconnect received order R47989120 from TelWest yesterday 2/4/04. It posted and the local service freeze was removed. We have now released the Emmert's Qwest winback order

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N47416388, with assigned DD of 2/6/04. I'll follow up for completion & account posting, in order to close the complaint.

Activity 02/09/2004 12:36 PM Email: Roger Kouchi << Steve Oxnevad  
Roger--final update--the Emmert's Qwest winback order did in fact complete and post as a new account on 2/6/04. We should be okay to close. Let me know. Thanks.

Activity 02/11/2004 12:14 PM Email: Roger Kouchi >> mat meyers  
Mat Meyers - Please provide a copy of the TPV for the PIC freeze. Thank you.

Activity 02/12/2004 11:19 AM Email: Roger Kouchi << Mat Myers  
Attached is the recording of the customer's TPV - 718853112.VCE. NOTE: Sent VCE file to Frank Kohler - Please convert the attached VCE file to a wave file. Thank you.

See Attached wave file:

- Mayla of Capitol Verification (12/10/03)
- Alice Emmert accepted Tel West as local, local toll, long distance and international provider.
- Agreed to take Value package w/o VM, caller ID, 3-way calling for \$29.99 plus taxes.
- Verifier stated that Tel West would place a local line freeze on line for consumer's protection (Violation). Consumer did NOT specifically authorize the line freeze.

Activity 02/13/2004 12:43 PM Email: Roger Kouchi >> mat meyers  
Mat Meyers - I have recorded a violation of WAC 480-120-147(5)(c) for the company's failure to get specific authorization for the PIC line freeze placed on this consumer's account.  
WAC 480-120-147(5)(c)

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

Activity 02/13/2004 01:33 PM Email: Roger Kouchi << DON TAYLOR  
Please explain why you are recording a violation of WAC 480-120-147(5)(c) on this complaint. I've reviewed the TPV and it is clearly explained to the customer that a freeze will be placed on the line for the customer's protection and that the freeze can easily be removed by calling Tel West.

Activity 02/13/2004 01:40 PM Email: Roger Kouchi >> don taylor  
Don - The rules requires that the company get the permission (customer must say YES or NO) to put the PIC line freeze on. The verification company simply stated that: for your protection, we will be placing a

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PIC line freeze on your account. The consumer did NOT specifically authorize it. Please let me know if you have questions. Thank you.

Activity 02/13/2004 01:48 PM Email: Roger Kouchi << DON TAYLOR

Roger: I am advising Tel West to revise its TPV script to solicit a positive response from the customer regarding the freeze. Kerry: Please instruct Capitol Verification to get a positive response from the customer regarding the local service freeze to be placed on their line. The customer must say "YES" when asked if they agree to having the freeze put on their line. Call with any questions.

Activity 02/18/2004 01:13 PM Phone: Roger Kouchi >> consumer RNA.

Activity 02/26/2004 04:25 PM Phone: Roger Kouchi >> consumer  
Went over findings. Consumer was satisfied. Back with Qwest.

Activity 02/26/2004 04:27 PM Email: Roger Kouchi >> mat myers  
Complaint closed.

**Complaint #87474**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer asked to migrate away from Tel West but was told she had a freeze on the account that would not be removed until after an installation fee had been paid. WAC 480-120-147 requires express consent from the customer before a freeze is placed. Provide method of obtaining freeze from customer and provide copy. If no consent was obtained, release customer immediately for migration. This is considered a service affecting complaint and response is due according to WAC 480-120-166. passed to TelWest via email 1/30 @ 11:00am

Activity 02/09/2004 09:20 AM Email: Gail Griffin-Wallace >> Telwest

This complaint was passed 1/30. Your initial response is now past due. Please respond by 2/10.

Activity 02/11/2004 03:16 PM Email: Gail Griffin-Wallace << Mat Myers

Tel West does not have a copy of the customer's agreeing to the line freeze on file. The line freeze has been removed with PON: 2114MMQ01, LSR: 9586810, DD 2/11/04. Please let me know if there is anything else I can do to help!

Activity 02/12/2004 08:38 AM Email: Gail Griffin-Wallace >> mmyers

Please verify the customer will not receive charges due to the delay in migration. I am Recording a violation of WAC 480-120-147, for failure to obtain consumer consent to place freeze. Please contact me if you have any questions.

Activity 02/12/2004 08:47 AM Action: Gail Griffin-Wallace

A violation of WAC 480-120-166 was not recorded because original complaint was not passed to the responding party. Once the complaint was passed to Mat Meyers, a timely response was received. Complaint was passed via activity dated 2/9/04.

Activity 02/12/2004 11:22 AM Email: Gail Griffin-Wallace << Mat Myers

The customer will not be charged for the delay in migration. Please let me know if there is anything else I can do for you!

Activity 03/02/2004 11:49 AM Phone: Gail Griffin-Wallace >> cust  
called cust - voicemail not active

Activity 03/02/2004 11:50 AM Phone: Gail Griffin-Wallace << cust

customer call number left on security screen and was advised that complaint will close. - letter also sent.

Activity 03/05/2004 07:57 AM Letter: Gail Griffin-Wallace >> cust

Re: 87474

March 5, 2004

*Identifying information withheld at customer's request*

Dear Ms. *Identifying information withheld at customer's request*:

I am getting back to you about your complaint that TelWest Communications, LLC

(TelWest), delayed your transfer to another telephone provider causing additional charges to be added to your account. TelWest advised me that a line freeze was added to your account, and was removed on

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February 11, 2004. TelWest will not add an installation fee to your account. At this time, I have concluded my investigation and closed the complaint. If you have questions, please do not hesitate to contact me.

Sincerely,

Activity 03/05/2004 07:59 AM Email: Gail Griffin-Wallace >> Chris Sturgul

I have closed this complaint finding for the consumer. Please contact me if you have any questions.

**Complaint #87487**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

- Customer went from QWEST to Tel West. However, this affected her internet service access.
- Placed order to go back to QWEST about 2-3 weeks ago. At that time QWEST said it would take approx 10 business days.
- QWEST could not and still cannot transfer the service back because Tel West has a freeze on the line.
- The customer did not authorize a local carrier freeze on the line.
- Contacted Tel West and told them to remove the freeze.
- Tel West rep advised this would be done in 24 - 48 hours.
- Customer called company yesterday to check and the freeze was still on and the Tel West rep said that there was no order in to remove the freeze.
- The customer wants the PIC freeze off ASAP so that she can get back to QWEST and get her internet access restored.

Activity 01/29/2004 04:12 PM Email: Lori Kanz >> Tel West  
Passing complaint. Thank you.

Activity 02/04/2004 03:31 PM Voice Mail: Lori Kanz << Consumer  
Customer called QWEST. Per QWEST, Tel West put in an order to take the hold off, but they won't actually take the hold off until 2/14/04. The customer thought they had to drop the hold within 48 hours. The customer does not have access to her computer and so cannot do her homework at home for school. Would like a call to find out if what Tel West is doing is lawful and if I can get them to take the hold off sooner.

Activity 02/04/2004 03:47 PM Voice Mail: Lori Kanz << Consumer  
Would like status on her complaint. She called earlier today and left a message. Tel West is taking over a month to remove the hold from her line.

Activity 02/04/2004 05:08 PM Email: Lori Kanz << Mat Myers/Tel West  
Sorry for the delay in response. Mrs. *Identifying information withheld at customer's request* line freeze was removed on Jan 29th, 04 with order #R47602701. There are very little notes on the account as to why there was such a long delay in getting the line freeze removed. I will address the situation with the 3 reps involved to ensure that this type of problem is addressed immediately. Let me know if there is anything else I can answer!

Activity 02/05/2004 08:19 AM Email: Lori Kanz >> Mat Myers/Tel West  
Please note a violation of WAC 480-120-166(6). The initial response was due within 2 business days. Also, please provide the authorization for the local PIC freeze.

Activity 02/05/2004 02:46 PM Email: Lori Kanz << Mat Myers/Tel West  
Can I get a copy of the regulations about time to respond? I was under the impression from a previous email with Roger Kouchi that Tel West had 5 business days to respond to initial contact.

Activity 02/05/2004 03:24 PM Email: Lori Kanz >> Mat Myers/Tel West  
Below is the applicable WAC, 480-120-166(6). The response was due within two business days, rather

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than five, because this is a service-affecting complaint. Also, I will need a TPV for the local PIC freeze. Thank you.

WAC 480-120-166 Commission-referred complaints. (1) Each company must keep a record of all complaints concerning service or rates for at least three years and, on request, make them readily available for commission review. The records must contain complainant's name and address, date and the nature of the complaint, action taken, and final result.

(2) Each company must have personnel available during regular business days to respond to commission staff.

(3) Applicants, customers, or their authorized representatives, may file with the commission an informal complaint as described in WAC 480-07-910 or a formal complaint against a company when there are alleged violations of statutes, administrative rules, or tariffs as provided by WAC 480-07-370.

(4) When the commission staff refers an informal complaint to a company, the company must:

(a) Stop any pending action involving the issues raised in the complaint provided any amounts not in dispute are paid when due (e.g., if the complaint involves a disconnect threat or collection action, the disconnect or collection must be stopped);

(b) Thoroughly investigate all issues raised in the complaint and provide a complete report of the results of its investigation to the commission, including, if applicable, information that demonstrates that the company's action was in compliance with commission rules; and

(c) Take corrective action, if warranted, as soon as appropriate under the circumstances.

(5) Commission staff will ask the customer filing the informal complaint whether the customer wishes to speak directly to the company during the course of the complaint, and will relay the customer's preference to the company at the time staff opens the complaint.

(6) The company must report the results of its investigation of service-affecting informal complaints to commission staff within two business days from the date Commission staff passes the complaint to the company. Service-affecting complaints include, but are not limited to, nonfunctioning or impaired services (i.e., disconnected services or those not functioning properly).

(7) The company must report the results of its investigation of nonservice-affecting informal complaints to commission staff within five business days from the date commission staff passes the complaint to the company. Nonservice-affecting complaints include, but are not limited to, billing disputes and rate quotes.

(8) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must provide complete responses to requests from commission staff for additional information on pending informal complaints within three business days.

(9) The company must keep commission staff informed when relevant changes occur in what has been previously communicated to the commission and when there is final resolution of the informal complaint.

(10) An informal complaint opened with the company by commission staff may not be considered closed until commission staff informs the company that the complaint is closed.

(11) The company must provide information requested by staff regarding any informal complaint in accordance with subsections (6) and (7) of this section until such time as staff informs the company that the complaint is closed.

[Statutory Authority: RCW 80.01.040 and 80.04.160. 03-24-028 (General Order R-510, Docket No. A-010648), § 480-120-166, filed 11/24/03, effective 1/1/04; 03-01-065 (Docket No. UT-990146, General Order No. R-507), § 480-120-166, filed 12/12/02, effective 7/1/03.]

Activity 02/05/2004 03:50 PM Email: Lori Kanz << Mat Myers/Tel West

Here is the customer's TPV recording. file #783583126 - attached. (Note: The TPV is a VCE file).

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Activity 02/05/2004 03:55 PM Email: Lori Kanz >> Mat Myers/Tel West

Please convert the attachment, below, to a wav file. Thank you.

Activity 02/05/2004 04:04 PM Email: Lori Kanz << Mat Myers/Tel West

I don't have the capability to convert the file. Roger Kouchi is able to use these files. We have provided your office with the appropriate file player, but I don't have it on file. Please see Roger and let me know if there is anything else I can provide.

Activity 02/05/2004 04:16 PM Email: Lori Kanz << Roger Kouchi/WUTC

Lori - Here is Frank Kohler's email address: [fkohler@capitolco.com](mailto:fkohler@capitolco.com). Here is a message from Frank to Mat instructing Mat to send wave files to [audiorequest@capitolco.com](mailto:audiorequest@capitolco.com) and they will convert the VCE to wave file.

See Complaint 86938 (Diana Otto)

Body:

I received the following cc copy of an email between Frank and Mat:

The VCE player, sadly, does not have the capability to do conversions. I'm currently working on a solution for coping with the VCE's proprietary nature. In the mean time if you are ever in need of an audio, you can email it to [audiorequest@capitolco.com](mailto:audiorequest@capitolco.com) and we will email you a WAV formatted copy. If you have any questions please let me know.

Activity 02/05/2004 04:21 PM Email: Lori Kanz >> Mat Myers/Tel West

Below is the response I received from Roger Kouchi of Consumer Affairs regarding converting a VCE file to a wav file. According to an e-mail cc'd to Diana Otto of Consumer Affairs, you are able to have Frank(?) convert these files. However, if you are unable to have Frank convert this to a wav file, please send me a CD or cassette version of the TPV.

Lori - Here is Frank Kohler's email address: [fkohler@capitolco.com](mailto:fkohler@capitolco.com).

Here is a message from Frank to Mat instructing Mat to send wave files to [audiorequest@capitolco.com](mailto:audiorequest@capitolco.com) and they will convert the VCE to wave file. See Complaint 86938 (Diana Otto)

Body:

I received the following cc copy of an email between Frank and Mat:

The VCE player, sadly, does not have the capability to do conversions. I'm currently working on a solution for coping with the VCE's proprietary nature. In the mean time if you are ever in need of an audio, you can email it to [audiorequest@capitolco.com](mailto:audiorequest@capitolco.com) and we will email you a WAV formatted copy. If you have any questions please let me know.

Activity 02/06/2004 11:26 AM Phone: Lori Kanz << Consumer

Says that she called QWEST. They said they showed the order to lift the local carrier freeze submitted by Tel West on 1/29/04, however, the due date for the freeze to be lifted is not until 2/13/04. This will mean that it will be over a month since the customer requested to have the freeze lifted, that she did not authorize in the first place.

-The customer is a student and needs to have internet access to complete her assignments.

-Advised customer that the response I received from Tel West says that local carrier freeze was actually lifted on 1/29/04. There isn't mention that there would be a wait until 2/13/04. I will contact Tel West and get clarification on when the freeze was/will be lifted. If I need to will contact QWEST to find out what the delay is.

Activity 02/06/2004 11:36 AM Email: Lori Kanz >> Mat Myers/Tel West

This customer just called. She spoke with QWEST yesterday and they showed that an order had been

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sent on 1/29/04 to remove the local carrier freeze, however, Tel West would not be actually removing the local carrier freeze until 2/13/04? Your response to the complaint indicated that the freeze was actually lifted on 1/29/04. Was the local carrier freeze actually lifted on 1/29/04, or was an order submitted to lift the freeze with a 2/13/04 due date?

Activity 02/06/2004 11:56 AM Email: Lori Kanz << Mat Myers/Tel West

The order has completed. The CSR shows already that there is no LEFV (line freeze) on the account. Let me know if there is anything else I can provide for you!

Activity 02/06/2004 12:16 PM Email: Lori Kanz >> Mat Myers/Tel West

Thank you for the information. I will still need a copy of the carrier freeze TPV before I close the complaint.

Activity 02/06/2004 12:25 PM Phone: Lori Kanz >> Steve Oxnevad/QWEST

Confirmed that the carrier freeze has been removed. The due date on the Winback order is 2/13/04. Steve is going to check with the Winback Desk to see if that date can be expedited. Will get back to me with that information.

Activity 02/06/2004 12:38 PM Email: Lori Kanz << Mat Myers/Tel West

-I do not have a copy of the carrier freeze notification. When Ms. *Identifying information withheld at customer's request* signed up, we had not added the notification to TPV yet, and was added about two weeks after Ms. *Identifying information withheld at customer's request* signed up. We have no signed paper explaining the freeze, just a note in the account that it was explained verbally. -Please let me know if I can provide anything else for you!

Activity 02/06/2004 12:50 PM Voice Mail: Lori Kanz << Steve Oxnevad/QWEST

The due date of 2/13/04 is because of provisioning the MSN computer service and the voice mail. The due date could be moved up if the MSN computer service and the voice mail were put on a separate order. However, most customers want to keep all the components of the order together.

Activity 02/06/2004 12:54 PM Email: Lori Kanz << Steve Oxnevad/QWEST

I just left you a voice mail message re this customer's pending winback order. Qwest can change/expedite her 2/13/04 DD, but only if we remove MSN and voice messaging from the order. Let me know which way she prefers.

Activity 02/06/2004 01:50 PM Voice Mail: Lori Kanz >> Consumer LWTC.

Activity 02/06/2004 01:53 PM Email: Lori Kanz >> Steve Oxnevad/QWEST

I just left the customer a voice mail to call me. I'm pretty sure she would want to keep the order as it is. The reason she went back to QWEST had to do with internet access.

Activity 02/06/2004 02:08 PM Email: Lori Kanz >> Mat Myers/Tel West

If you are unable to provide a TPV authorizing the local carrier freeze, note a violation of WAC 480-120-147(5) (see below).

WAC 480-120-147 Changes in local exchange and intrastate toll services. (1) Verification of orders. A local exchange or intrastate toll carrier that requests on behalf of a customer that the customer's carrier be changed, and that seeks to provide retail services to the customer (submitting carrier), may not submit a

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change-order for local exchange or intrastate toll service until the order is confirmed in accordance with one of the procedures in (a) through (c) of this subsection:

(a) The company has obtained the customer's written or electronic authorization to submit the order (letter of agency). The letter of agency must be a separate electronic form, located on a separate screen or web page, or a separate written document (or easily separable document) containing only the authorizing language described in (a)(i) through (vi) of this subsection, having the sole purpose of authorizing a telecommunications carrier to initiate a preferred carrier change. The letter of agency, whether written or electronic, must be signed and dated by the customer of the telephone line(s) requesting the preferred carrier change. The letter of agency shall not be combined on the same document or on the same screen or web page with inducements of any kind; however, it may be combined with checks that contain only the required letter of agency language as prescribed in (a)(i) through (vi) of this subsection, and the necessary information to make the check a negotiable instrument. The check may not contain any promotional language or material. It must contain, in easily readable, boldface type on the front of the check, a notice that the customer is authorizing a preferred carrier change by signing the check. Letter-of-agency language must be placed near the signature line on the back of the check. Any carrier designated in a letter of agency as a preferred carrier must be the carrier directly setting the rates for the customer. If any portion of a letter of agency is translated into another language, then all portions must be translated into that language, as well as any promotional materials, oral descriptions or instructions provided with the letter of agency. The letter of agency must confirm the following information from the customer:

(i) The customer billing name, billing telephone number and billing address and each telephone number to be covered by the change order;

(ii) The decision to change;

(iii) The customer's understanding of the change fee;

(iv) That the customer designates (name of carrier) to act as the customer's agent for the preferred carrier change;

(v) That the customer understands that only one telecommunications carrier may be designated as the customer's intraLATA preferred carrier; that only one telecommunications carrier may be designated as the customer's interLATA preferred carrier; and that only one telecommunications carrier may be designated as the customer's local exchange provider, for any one telephone number. The letter of agency must contain a separate statement regarding the customer's choice for each preferred carrier, although a separate letter of agency for each choice is not necessary; and

(vi) Letters of agency may not suggest or require that a customer take some action in order to retain the current preferred carrier.

(b) The submitting carrier has obtained the customer's authorization, as described in (a) of this subsection, electronically, by use of an automated, electronic telephone menu system. This authorization must be placed from the telephone number(s) for which the preferred carrier is to be changed and must confirm the information required in (a)(i) through (vi) of this subsection. Telecommunications companies electing to confirm the preferred carrier change electronically must establish one or more toll free telephone numbers exclusively for that purpose. Calls to the number(s) must connect a customer to a voice response unit, or similar device, that records the required information regarding the change, including recording the originating automatic number identification (ANI).

(c) An appropriately qualified and independent third party operating in a location physically separate from the telemarketing representative has obtained the customer's oral authorization to submit the change order that confirms and includes appropriate verification data (e.g., the customer's date of birth). The independent third party must not be owned, managed, controlled or directed by the carrier or the carrier's marketing agent; and must not have any financial incentive to confirm preferred carrier change orders for the carrier or the carrier's marketing agent. The content of the verification must include clear and unambiguous confirmation that the customer has authorized a preferred carrier change.

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(2) Where a telecommunications carrier is selling more than one type of telecommunications service (e.g., local exchange, intraLATA toll, and interLATA toll) that carrier must obtain separate authorization, and separate verification, from the customer for each service sold, although the authorizations may be made within the same solicitation.

(3) The documentation regarding a customer's authorization for a preferred carrier change must be retained by the submitting carrier, at a minimum, for two years to serve as verification of the customer's authorization to change his or her telecommunications company. The documentation must be made available to the customer and to the commission upon request and at no charge. Documentation includes, but is not limited to, entire third-party-verification conversations and, for written verifications, the entire verification document.

(4) Implementing order changes. An executing carrier may not verify directly with the customer the submission of a change in a customer's selection of a provider received from a submitting carrier. The executing carrier must comply promptly, without any unreasonable delay, with a requested change that is complete and received from a submitting carrier. An executing carrier is any telecommunications carrier that affects a request that a customer's carrier be changed. This section does not prohibit any company from investigating and responding to any customer-initiated inquiry or complaint.

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(a) All LECs must notify all customers of the availability of a preferred carrier freeze, no later than the customer's first telephone bill, and once per year must notify all local exchange service customers of such availability on an individual customer basis (e.g., bill insert, bill message, or direct mailing).

(b) All carrier-provided solicitation and other materials regarding freezes must include an explanation, in clear and neutral language, of what a preferred carrier freeze is, and what services may be subject to a freeze; a description of the specific procedures to lift a preferred carrier freeze; an explanation that the customer will be unable to make a change in carrier selection unless he or she lifts the freeze; and an explanation of any charges incurred for implementing or lifting a preferred carrier freeze.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

(d) All LECs must offer customers, at a minimum, the following procedures for lifting a preferred carrier freeze:

(i) A customer's written or electronic authorization stating the customer's intent to lift the freeze;

(ii) A customer's oral authorization to lift the freeze. This option must include a mechanism that allows a submitting carrier to conduct a three-way conference call with the executing carrier and the customer in order to lift the freeze. When engaged in oral authorization to lift a freeze, the executing carrier must confirm appropriate verification data (e.g., the customer's date of birth), and the customer's intent to lift the freeze.

(e) A LEC may not change a customer's preferred carrier if the customer has a freeze in place, unless the customer has lifted the freeze in accordance with this subsection.

(6) Remedies. In addition to any other penalties provided by law, a submitting carrier that requests a change in a customer's carrier without proper verification as described in this rule shall receive no payment for service provided as a result of the unauthorized change and shall promptly refund any amounts collected as a result of the unauthorized change. The customer may be charged, after receipt of the refund, for such service at a rate no greater than what would have been charged by its authorized telecommunications company, and any such payment shall be remitted to the customer's authorized telecommunications company.

(7) Exceptions. Companies transferring customers as a result of a merger, purchase of the company, or purchase of a specific customer base are exempt from subsections (1) through (6) of this section if the companies comply with the following conditions and procedures:

(a) The acquiring company must provide a notice to each affected customer at least thirty days before the date of transfer. Such notice must include the following information:

- (i) The date on which the acquiring company will become the customer's new provider;
- (ii) The rates, terms, and conditions of the service(s) to be provided upon transfer, and the means by which the acquiring company will notify the customer of any change(s) to those rates, terms, and conditions;
- (iii) That the acquiring company will be responsible for any carrier change charges associated with the transfer;
- (iv) The customer's right to select a different company to provide the service(s);
- (v) That the customer will be transferred even if the customer has selected a "freeze" on his/her carrier choices, unless the customer chooses another carrier before the transfer date;
- (vi) That, if the customer has a "freeze" on carrier choices, the freeze will be lifted at the time of transfer and the customer must "refreeze" carrier choices;
- (vii) How the customer may make a complaint prior to or during the transfer; and
- (viii) The toll-free customer service telephone number of the acquiring carrier.

(b) The acquiring company must provide a notice to the commission at least thirty days before the date of the transfer. Such notice must include the following information:

- (i) The names of the parties to the transaction;
- (ii) The types of services affected;
- (iii) The date of the transfer; and
- (iv) That the company has provided advance notice to affected customers, including a copy of such notice.

(c) If after filing notice with the commission any material changes develop, the acquiring company must file written notice of those changes with the commission no more than ten days after the transfer date announced in the prior notice. The commission may, at that time, require the company to provide additional notice to affected customers regarding such changes.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. 03-22-046 (Docket No. A-030832, General Order No. R-509), § 480-120-147, filed 10/29/03, effective 11/29/03. Statutory Authority: RCW 80.01.040 and 80.04.160. 03-01-065 (Docket No. UT-990146, General Order No. R-507), § 480-120-147, filed 12/12/02, effective 7/1/03.]

Activity 02/06/2004 02:20 PM Email: Lori Kanz >> Mat Myers/Tel West

In light of the fact that it has taken the customer a month to get the unauthorized carrier freeze removed, is the company willing to credit the balance owing at this time?

Activity 02/06/2004 03:08 PM Email: Lori Kanz << Mat Myers/Tel West

Yes. The TPV file was the customer requesting to change over to Tel West.

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Activity 02/06/2004 03:19 PM Email: Lori Kanz << Mat Myers

-My records and CSR still show the customer with TelWest. The customer has been our customer since 11/21/04. My notes show that the customer requested the line freeze removed at the end of January, but is still on our platform. TelWest is willing to waive the \$79.99 connection fee. That would leave the customer with a balance of approximately \$80 assuming they convert to Qwest soon. This is a 50% discount off the customer's bill. Let me know if I can provide anything else for you!

Activity 02/06/2004 03:22 PM Email: Lori Kanz >> Mat Myers/Tel West

Now that the local carrier freeze has been removed, the customer's order to go back to QWEST will process. I'll note the bill credit in the complaint record.

Activity 02/09/2004 09:40 AM Phone: Lori Kanz << Consumer

-Customer returned my call. Advised that , at this point, the hold up on the order was on QWEST's end due to getting the MSN and voice messaging features on the line. Advised that the order was in a hold status until Tel West removed the local carrier freeze on 1/29/04.

-Also advised that Tel West was unable to provide the TPV for the local carrier freeze. The company agreed to credit the \$79.99 installation charge. This should appear on her next bill and leaves a balance owing of approximately \$80.00. Asked customer to please call me if the credit does not appear. Closed.

Activity 02/10/2004 08:35 AM Email: Lori Kanz >> Steve Oxnevad/QWEST

Thank you again for looking into this. I spoke with the customer and she wants to keep the order as it is.

Activity 02/10/2004 08:35 AM Email: Lori Kanz >> Mat Myers/Tel West

Ok to close.

**Complaint #87526**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Tel West slammed him. The address they have is *Identifying information withheld at customer's request*. He did NOT authorize the switch.

Activity 02/02/2004 12:35 PM Email: Roger Kouchi >> Mat Meyers

Mat Meyers - Please respond to this complaint. Thank you.

Activity 02/02/2004 12:54 PM Email: Roger Kouchi << Marilyn Spence

Kathy Perry will handle this

Activity 02/02/2004 02:02 PM Email: Roger Kouchi << Kathy H Perry

Telephone Number: *Identifying information withheld at customer's request*

Summary of Customer Complaint:

Alleges Telwest slamming.

Comments/Research/Solution:

-11/29/2003 PON 610483117 request from Telwest received. Conversion order C37361388 ported customer to Telwest on 12/3/2003.

Please advise if you need any additional information. I have closed this inquiry.

Activity 02/05/2004 02:01 PM Email: Roger Kouchi >> frank kohler

Frank Kohler - Please convert the attached VCE file to a wave file. Thank you.

NOTE: Frank Kohler provided wave file (see wave attachment file). *Identifying information withheld at customer's request* authorized Tel West to switch local, local long distance, long distance, and international service. Selected unlimited plan for \$47.99 plus taxes. \$10 credit certificate. \$79.99 activation fee which is waived after 12 months of service or cancellation before 30 days. *Identifying information withheld at customer's request*. 11/10/03 date of contact.

Activity 02/09/2004 04:19 PM Phone: Roger Kouchi >> consumer

LWTC to discuss findings. Left my name and toll-free number.

Activity 02/12/2004 02:59 PM Letter: Roger Kouchi >> consumer

I have completed my investigation into your complaint with Tel West regarding the unauthorized switch of your telephone service (slamming). The company provided a verification recording that showed the following information. I am providing a audio cassette tape of the recording and a copy of the complaint record for your files. *Identifying information withheld at customer's request* authorized Tel West to switch local, local long distance, long distance, and international service. Selected unlimited plan for \$47.99 plus taxes. \$10 credit certificate. \$79.99 activation fee which is waived after 12 months of service or cancellation before 30 days. DOB *Identifying information withheld at customer's request*. 11/10/03 date of contact. Please feel free to contact me if you have questions.

Activity 02/13/2004 01:54 PM Email: Roger Kouchi >> mat meyers

Consumer wanted to switch to Qwest but he can't because Tel West put a line PIC freeze on the account.

I listened to the TPV and did not hear the authorization for the PIC freeze. Please let me know if I am missing something. Consumer also wants to know if he authorized the switch, why is Tel West sending

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his bills somewhere other than his home residence?? Consumer wants a copy of all the bills. Please provide them to me so I can forward them to the consumer.

Activity 02/13/2004 02:19 PM Phone: Roger Kouchi << consumer

Consumer said that the Tel West telemarketer agreed to send them a welcome packet. She did not want to switch before speaking to husband. Telemarketer said ok, but said that in order to verify the information she provided and send the welcome packet, he will need to transfer to a verification center. Consumer understood that all she would be doing is verifying the information where to send the welcome packet. They never did receive a welcome packet.

Activity 02/17/2004 12:23 PM Email: Roger Kouchi >> mat meyers

Consumer said that the Tel West telemarketer agreed to send them a welcome packet. She did not want to switch before speaking to husband. Telemarketer said ok, but said that in order to verify the information she provided and send the welcome packet, he will need to transfer to a verification center. Consumer understood that all she would be doing is verifying the information where to send the welcome packet. They never did receive a welcome packet. Please respond. Thank you.

Activity 02/18/2004 02:32 PM Email: Roger Kouchi << Mat Myers

After investigating, Tel West has the customer's billing address as *Identifying information withheld at customer's request*, with no apartment number. I will add *Identifying information withheld at customer's request* to billing address. The welcome packet was sent to main address with no sub-location. In December we moved to a new database and billing system, and in doing so, have experienced problems with switching customers over to new billing. One of the problems is if a customer had not generated a bill in the old system, such as *Identifying information withheld at customer's request*, it did not automatically generate a new bill in the new system. In this case, the account was found by our auditors and they manually entered the start date of the customer (12/3/03), which in turn created the bill for 2 months prior and 1 month in advance. I have requested a copy of the new bill to be emailed to me, and will forward it to you when they email it to me, which should be within 48 hours. Please let me know if there is anything else I can do for you.

Activity 02/23/2004 11:55 AM Email: Roger Kouchi >> Mat Meyers

I have recorded a violation of WAC 480-120-147(5) for the company's failure to get the required PIC freeze authorization. Has the local line PIC Freeze been removed?

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(a) All LECs must notify all customers of the availability of a preferred carrier freeze, no later than the customer's first telephone bill, and once per year must notify all local exchange service customers of such availability on an individual customer basis (e.g., bill insert, bill message, or direct mailing).

(b) All carrier-provided solicitation and other materials regarding freezes must include an explanation, in clear and neutral language, of what a preferred carrier freeze is, and what services may be subject to a freeze; a description of the specific procedures to lift a preferred carrier freeze; an explanation that the

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customer will be unable to make a change in carrier selection unless he or she lifts the freeze; and an explanation of any charges incurred for implementing or lifting a preferred carrier freeze.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

(d) All LECs must offer customers, at a minimum, the following procedures for lifting a preferred carrier freeze:

(i) A customer's written or electronic authorization stating the customer's intent to lift the freeze;

(ii) A customer's oral authorization to lift the freeze. This option must include a mechanism that allows a submitting carrier to conduct a three-way conference call with the executing carrier and the customer in order to lift the freeze. When engaged in oral authorization to lift a freeze, the executing carrier must confirm appropriate verification data (e.g., the customer's date of birth), and the customer's intent to lift the freeze.

(e) A LEC may not change a customer's preferred carrier if the customer has a freeze in place, unless the customer has lifted the freeze in accordance with this subsection.

Activity 02/23/2004 06:15 PM Email: Roger Kouchi << Mat Myers  
The line freeze is removed by R51627575 dd 2/23/04.

Activity 02/24/2004 12:31 PM Email: Roger Kouchi >> kathy perry  
Tel West informed me that it has released the PIC line freeze. I understand that the consumer wants to go back to Qwest. What does Qwest's records show on this win back?

Activity 02/24/2004 12:33 PM Voice Mail: Roger Kouchi << consumer  
LWTC requesting status.  
NOTE: Returned call and LWTC on VM to discuss complaint.

Activity 02/24/2004 03:13 PM Email: Roger Kouchi << Kathy H Perry  
This one aged off system yesterday. I am having the order re-initiated and asking for a 2/26/2004 due date. I will follow up on 2/27/2004 with a status.

Activity 02/26/2004 02:31 PM Email: Roger Kouchi << Kathy H Perry  
The order due date was set for 2/27/2004. I will follow up for completion of this order on 3/3/2004.

Activity 03/01/2004 03:12 PM Email: Roger Kouchi << Kathy H Perry  
Qwest Winback completed on 2/27/2004. Please let me know if you need any additional information. Thank you. I have re-closed this complaint.

Activity 03/03/2004 01:35 PM Phone: Roger Kouchi >> consumer  
satisfied. Ok to close.

Activity 03/03/2004 01:36 PM Email: Roger Kouchi >> Mat Meyers  
Mat Meyers - Complaint closed.

Activity 03/15/2004 01:56 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Consumer just got a bill for \$200. Disputing these charges. Please provide detailed billing information. Thank you.



Activity 03/29/2004 02:56 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Please get back to me regarding this complaint. Thank you.

Activity 03/29/2004 04:58 PM Email: Roger Kouchi << Chris Sturgul  
We had a import problem back in December. The customer received an invoice for all of the time that she had service with TWC. This was an error, we only were billing from the time the customer was added to the billing platform. We figured that was fair since several customer did not receive invoices. This account has been adjusted and a correct invoice will generate on 4/10, the amount will be approximatly \$129.19. That is \$49.20 for service plus the \$79.99 installation fee.

Activity 04/01/2004 08:56 AM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Consumer informed me that they did try to cancel service within 30 days but because Tel West had an illegal local PIC freeze on the line he wasn't able to cancel service. Consumer is willing to pay for the one month (\$49.20) but is disputing the \$79.99 installation charge because Tel West would not release his line and allow him to cancel service. I am requesting that Tel West credit the \$79.99 installation charge. Please respond. Thank you.

Activity 04/12/2004 06:13 PM Email: Roger Kouchi << Chris Sturgul  
I do not show where the customer requested a freeze removal or that the customer called at all to say they wanted to leave or discontinue service until 02/18/2004. At that time the freeze order was placed and removed. Tel West was not unwilling to release his line. I do not see the reason for waiving the installation fee.

Activity 04/14/2004 10:11 AM Email: Roger Kouchi >> tel west  
Tel West - I am requesting that Tel West waive the installation charge of \$70 since Tel West illegally installed a PIC freeze on this consumer's account. Please respond. Thank you. Recorded a violation of WAC 480-120-147(5) for the company's failure to get the required PIC freeze authorization.

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

(a) All LECs must notify all customers of the availability of a preferred carrier freeze, no later than the customer's first telephone bill, and once per year must notify all local exchange service customers of such availability on an individual customer basis (e.g., bill insert, bill message, or direct mailing).

(b) All carrier-provided solicitation and other materials regarding freezes must include an explanation, in clear and neutral language, of what a preferred carrier freeze is, and what services may be subject to a freeze; a description of the specific procedures to lift a preferred carrier freeze; an explanation that the customer will be unable to make a change in carrier selection unless he or she lifts the freeze; and an explanation of any charges incurred for implementing or lifting a preferred carrier freeze.

(c) No local exchange carrier may implement a preferred carrier freeze unless the customer's request to

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impose a freeze has first been confirmed in accordance with the procedures outlined for confirming a change in preferred carrier, as described in subsections (1) and (2) of this section.

(d) All LECs must offer customers, at a minimum, the following procedures for lifting a preferred carrier freeze:

(i) A customer's written or electronic authorization stating the customer's intent to lift the freeze;

(ii) A customer's oral authorization to lift the freeze. This option must include a mechanism that allows a submitting carrier to conduct a three-way conference call with the executing carrier and the customer in order to lift the freeze. When engaged in oral authorization to lift a freeze, the executing carrier must confirm appropriate verification data (e.g., the customer's date of birth), and the customer's intent to lift the freeze.

(e) A LEC may not change a customer's preferred carrier if the customer has a freeze in place, unless the customer has lifted the freeze in accordance with this subsection.

Activity 04/15/2004 09:00 AM Email: Roger Kouchi << DON TAYLOR  
Tel West has waived the \$79.99 fee, leaving a balance due of \$49.61.

Activity 04/19/2004 10:53 AM Phone: Roger Kouchi >> consumer  
satisfied with the adjustment. Will mail the \$49.61 to Tel West by the end of this week.

Activity 04/19/2004 10:55 AM Email: Roger Kouchi >> don taylor  
Thanks for your help. Consumer is satisfied with the resolution. He will mail a check to Tel West by the end of the week for \$49.61 (balance owing). Complaint closed.

Activity 04/30/2004 12:07 PM Phone: Tani Thurston << *Identifying information withheld at customer's request*

Customer called saying he called the company to pay the 49.61 but the company said it could not talk to him. He wants to know how he can make this payment. Called Don Taylor - discussed issue. He said the company thought the complaint was still open so would not talk to the customer. He advised for the customer to call 1-877-589-4581 and ask for Robert. Robert will handle the payment. Advised customer; he will call company again and ask for Robert.

**Complaint #87656**

Jeanne Howard  
407 S King St  
Centralia WA, 98531

Tel West Communications, LLC

Customer said she did order Tel West service, and tried to cancel the next day. She said she was told that her order was not in the computer yet, and to wait a week and call back. Ms called four days later, was told the order was in the complaint, and it was cancelled.

Ms said she has ordered service from Qwest, but cannot be ported to Qwest because Tel West has put a freeze, which she did not order, on her line. Ms says she has not been allowed to speak with a supervisor when she has asked for one. Ms spoke with Kelly #363. Tel West:

-What do records show regarding the customer's attempts to cancel her order?

-Please provide verification of the order for service, and for the order of the freeze on the line.

-Customer has \$47.96 bill. Ms disputes that she owes the company anything.

(passed via e-mail to Mat Meyer and Chris Sturgul, cc Don Taylor 2/9, 2:27)

Activity 02/11/2004 03:26 PM Email: John Cupp << Mat Myers

I do show that the customer called on the 20th of January to cancel, but it looks as though the order completed even after trying to cancel it on the 21st of January. We do have a recording of Ms. requesting Tel West to take over her local and long distance service as well as being informed of the PIC Freeze. I have not received the disk with her recording on it yet, but have requested that it be emailed to me immediately. I will forward the recording as soon as it is emailed to me, which should be in the next couple of days. Let me know if there is anything else I can provide for you!

Activity 02/27/2004 12:13 PM Email: John Cupp << Mat Myers

I have requested this file be sent to us in a WAV format, and have had to re-request the file be sent as they did not send the correct file. I am sorry this has taken so long. I will forward it to you as soon as I receive it.

Activity 02/27/2004 12:16 PM Email: John Cupp << Mat Myers

Can I get a copy of file # 100035225 from Jan 14th, 2004 in .WAV format emailed to jcupp@wutc.wa.gov, mmyers@telwestservices.com; donaldtaylor@msn.com, & csturgul@telwestservices.com.

Activity 03/04/2004 03:58 PM Email: John Cupp << Mat Myers

What do records show regarding the customer's attempts to cancel her order? The customer called on 1/20/04 to cancel order, but order had completed earlier in that same day. The customer called on 2/06/04 to remove Line freeze, the order was placed 2 days later.

-Please provide verification of the order for service, and for the order of the freeze on the line.

Attached is a recording of the TPV.

Please let me know if there is something else I can do for you!

(Open this activity to access attachment)

Activity 03/04/2004 04:38 PM Action: John Cupp

Review of TPV:

-Verification date 1/14/04.

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- Customer verified phone number
- Verified 18+ years of age and authorized to make changes to this account
- Ms said "yes" to local service
- Ms said "yes" to intraLATA toll
- Ms said "yes" to interLATA toll
- Verifier quoted package price to customer and explained many Tel West rules and policies.
- Verified date of birth
- Customer verified spelling of her name
- Verified address

Activity 03/29/2004 08:30 AM Email: John Cupp >> Mat Meyers, cc Chris Sturgul & Don Taylor  
I cc'd Chris and Don because I understand you are no longer our complaint contact. I have reviewed the TPV of the customer's order for phone services, but I do not see that the customer ordered a PIC freeze, per WAC 480-120-147(5)(c). An order for a PIC freeze must be confirmed in the same manner as an order for local or toll service. I have noted a violation of the above-mentioned WAC. The TPV for switching of services appears to meet WAC criteria. Also, please address the customer's concern that she cancelled service before the switch was made, but the switch was implemented. Does Tel West intend to adjust the \$47.96 in dispute?

Activity 03/29/2004 08:54 AM Voice Mail: John Cupp >> Customer  
Asked Ms to call me. Gave her our toll-free number.

Activity 03/30/2004 03:49 PM Email: John Cupp << Chris Sturgul  
I will have the billing department issue a refund in the amount of \$47.96.

Activity 03/30/2004 04:18 PM Email: John Cupp >> Chris Sturgul  
I need to clarify a point regarding the violation for not getting proper authorization to put a freeze on the line. I noted 3 violations of WAC 480-120-147(5)(c), one for each freeze (local, interLATA and intraLATA). Please feel free to comment. I think this one is okay to close.

Activity 03/31/2004 08:46 AM Phone: John Cupp << Customer  
Shared complaint results with customer. Ms is happy that she will receive credit. Okay to close.

Complaint #87923

*Identifying information withheld at customer's request*

Tel West Communications, LLC

LEC FREEZE NEEDS TO BE LIFTED.

-Customer put in a request to have his service cancelled and ported to Qwest. Number to be ported were 360-266-1917 and 360-266-0228. Mr. started contacting Tel-west near the end of January to have the services ported. Customer received a letter from Qwest thanking him for choosing them, but they can't take his service because Tel-West has put a LOCAL freeze on the line. Company continues to delay the porting of his service. Customer was put on hold for 1hr before he could speak with a representative regarding his complaint.

\*\*2/25/04, 2:10pm-passed via e-mail to Tel-West/Chris Sturgul-cc'd Don Taylor - response due to DJ Suits on or before 2/27/04

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Activity 02/25/2004 05:13 PM Email: Diana Jones-Suits << Co./Telwest/Chris Sturgul  
Customer called in on 1/29/04 to have local freeze removed. TWC placed order on 02/004/04  
PON020404PP01. The order has been resubmitted 3 times because Qwest has rejected the freeze removal  
based on the pending order to migrate. Last reply from Qwest on 02/17/04 was that the service had been  
migrated on 02/16/04 with order D26771414.

I called today (02/25/04) to verify events and was told that the account had not migrated and was still on  
TWC platform. This has been escalated to push the order through and I am waiting for the qwest  
resolution.

Activity 02/26/2004 01:15 PM Email: Diana Jones-Suits << Co./Telwest/Chris Sturgul  
I now have confirmation that the escalation team at qwest was able to push the order through. Order  
R52909858 was completed 17:55 MST on 02/25/04. They were not able to explain why previous attempts  
attempt had rejections that were sustained.

Activity 02/26/2004 02:56 PM Email: Roger Kouchi << Co./Qwest/Roger Kouchi  
Activity:

\*\*\* 02/24/2004 04:18 PM Email: Roger Kouchi << Steve Oxnevad  
*Identifying information withheld at customer's request* had prior residential service with Qwest under account  
*Identifying information withheld at customer's request*. Originally established 10/7/97 credit class A no  
deposit. Records show that Qwest received a PON from CLEC TelWest on 12/18/03 to discontinue and  
resell the account as of 12/22/03. Notes show that the *Identifying information withheld at customer's request*  
first contacted Qwest to pursue a winback on 1/28/04. A pending order was set up but put on hold due to  
the fact that TelWest had the subscriber on local service/PIC freeze. The original order also had a problem  
with the TPV being invalid. On 2/10/04, a replacement winback order N51643943 was generated, with a  
complete and valid TPV. However, my winback group manager tells me that Qwest is still awaiting the  
local service/PIC freeze to be removed by TelWest. I'm not sure what type of contact that the end user has  
had with TelWest. I can follow up later this week for any update and advise you.

Activity 03/09/2004 12:07 PM Email: Diana Jones-Suits >> Co./Qwest/Steve O.  
Steve, this is what Telwest told me? (e-mailed 2/26/04 activity from Telwest)

Activity 03/09/2004 12:12 PM Email: Diana Jones-Suits << Co./Qwest/Steve Oxnevad  
Return Receipt

Activity 03/10/2004 11:13 AM Email: Diana Jones-Suits << Co./Qwest/Steve Oxnevad  
I'm told that a request was made by TelWest to remove the local service freeze from the end user's  
account with them. In turn, our Qwest winback order was issued to port in Mr *Identifying information  
withheld at customer's request* two numbers, due date today 3/10. I'll follow up to ensure the order  
completes and a new account is established. Then we're okay to close out.

Activity 03/11/2004 12:33 PM Email: Diana Jones-Suits << Co./Qwest/Steve Oxnevad  
Final update--the customer's Qwest winback order completed yesterday and has now posted as a new  
account. This is OK to close. Let me know.

Activity 03/11/2004 04:03 PM Email: Diana Jones-Suits >> Co./Qwest/Steve  
Steve, did the port complete? Is so, what are the numbers?

Activity 03/11/2004 04:04 PM Voice Mail: Diana Jones-Suits << customer

left message to call him.

Activity 03/11/2004 04:05 PM Email: Diana Jones-Suits << Co./Qwest/Steve Oxnevad  
Return Receipt

Activity 03/11/2004 04:06 PM Email: Diana Jones-Suits >> customer  
advised the customer the numbers should have been ported 3/10/04. I'm waiting for an update from  
Qwest. Mr. is suppose to have his log.

Activity 03/11/2004 04:59 PM Email: Diana Jones-Suits << Co./Qwest/Steve Oxnevad  
I'd sent you an e-mail earlier this afternoon. Yes, the customer's Qwest winback order did complete  
yesterday. Both numbers were ported in, *Identifying information withheld at customer's request*, and new  
account was established. This one is good to close. Let me know.

Activity 03/13/2004 06:57 AM Voice Mail: Diana Jones-Suits << customer  
left message stating he'd like a call back regarding this complaint

Activity 03/16/2004 10:11 AM Voice Mail: Diana Jones-Suits >> customer  
left message stating that I was returning his call. Advised him that Qwest records show that the numbers  
have been successfully ported to them. Stated I've closed the informal complaint.

Activity 03/16/2004 10:13 AM Email: Diana Jones-Suits >> Co./Qwest/Steve  
Steve, this inquiry is closed. Thanks

Activity 03/16/2004 10:53 AM Email: Diana Jones-Suits >> Co./Telwest/Chris - Primary  
Chris, I've closed the informal complaint with the customer and the company. I've noted one violation of  
WAC 480-120-147(5)(c), Company placed a local freeze on the customer's account. Violation occurred on  
12/23/03. Disposition: Consumer Upheld

Activity 04/07/2004 02:57 PM Action: Tani Thurston  
Refer to CCS 78923.

Activity 04/08/2004 01:46 PM Phone: Lynda Johnson << Mr.  
Called to say that TelWest is now billing him \$250 for 2 months of service. Wants a call back.

**Complaint #87667**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer has been attempting to port her phone service away from Tel West to Qwest for more than 3 weeks. Ms has been told she has a LEC freeze on the line (she did not authorize the freeze) and Tel West is refusing to lift the freeze so Qwest can take the service. Ms wants the freeze lifted immediately.

>Please provide the verification recording for the LEC freeze.

>Why has Tel West refused to lift the freeze at the customer's request?

10:40)passed to Mat Meyers, Don Taylor @ Tel West via email. Please respond in accordance with WAC 480-120-166(6).

Activity 02/11/2004 03:55 PM Email: Sheri Hoyt << Mat Myers

I am attaching the TPV file recording of the customer requesting Tel West service and informing of the line freeze. If you have problems playing the file, you can contact Frank Kohler of Capitolco Verification by emailing the file to fkohler@capitolco.com and asking for a different format. The customer signed up for service on Jan 2nd and requested the line freeze removal on Jan 22nd. The Order to remove the line freeze was rejected back by qwest with the following information:

Rject Messages: 1. Change activity not allowed unless CLEC owns the account. Comments: REJECTED PER A/C CONVERTED TO QWEST ORD#N50364490 DD 02-04. Qwest had place an order and that displaced our order. We called Qwest (Joanna @ ISC 2:53pm) on 2/4/04 and she informed us that they had not cancelled their order yet, and our order could not go through until they had cancelled their N order. We again called Qwest on 2/9/04 (Robin @ ISC 1:30pm) and were told that their new connect order was still pending and we cannot place our change order until they cancel their N50364490 order. We called customer at work to inform her that the N order still was pending and our order could not complete until she calls qwest and cancels the N order. Customer was unhappy, but understood that Qwest needs to remove the N order for our order to be able to go through. We are now awaiting confirmation from Qwest that the N order has been cancelled. Please let me know if there is any other information I can give you!

Activity 02/12/2004 08:36 AM Email: Sheri Hoyt >> Mat Meyers

I'm unable to access the file you provided. Tel West will need to provide the verification recording in a format that the Commission can access. I'll need it as a Windows Media Player (.wmp) file, a .wav file, or on an audio cassette or compact disc. If you have any questions, please let me know.

Activity 02/23/2004 06:06 PM Email: Sheri Hoyt << Mat Myers

Here is the TPV file. Sorry it took so long to get. Please let me know if there is anything else I can do for you.

Activity 02/24/2004 08:28 AM Action: Sheri Hoyt

I listened to the TPV recording. Customer does say yes, individually, to local phone service, intraLata long distance and interLATA long distance as well as international calling. Verifier does state a LEC freeze will be placed on the line, however, the customer is not provided an opportunity to respond with a yes or no. It was not a question, it was a statement made by the verifier. Customer provided her birth date as a unique identifier for the switch in service providers.

WAC 480-120-147

(5) Preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier

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selection unless the customer gives the carrier from whom the freeze was requested express consent. Express consent means direct, written, electronic, or oral direction by the customer. All local exchange companies (LECs) must offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory basis to all customers. Offers or solicitations for such freezes must clearly distinguish among telecommunications services subject to a freeze (e.g., local exchange, intraLATA toll, and interLATA toll). The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested. Separate authorizations may be contained within a single document.

Activity 02/24/2004 08:33 AM Email: Sheri Hoyt >> Vicki Elliott, Cons. Affs. Mngr.

I've got a Tel West complaint re: a LEC freeze that prohibited the customer from switching carriers. Tel West sent me a TPV recording for the switch in services. On the recording, the verifier states a LEC freeze will be placed. The customer was not given an opportunity to say yes or no to the freeze, it was a statement made by the verifier. According to my interpretation of WAC 480-120-147, customer is supposed to give authorization, same as with the local service and long distance switch. She did not say yes to the freeze. Is that a violation? My interpretation of the rule would say it is.

Activity 02/24/2004 01:19 PM Email: Sheri Hoyt << Vicki Elliott

I agree.

Activity 02/24/2004 01:36 PM Email: Sheri Hoyt >> Mat Meyers

I reviewed the TPV recording. I will be citing one violation of WAC 480-120-147(5). The WAC states, "The carrier offering the freeze must obtain separate authorization for each service for which a preferred carrier freeze is requested." During the TPV process, the verifier appropriately asked the customer if she authorized Tel West to provide local service, intraLata and interLata service. Each service was stated separately and authorized separately. The LEC freeze should have been done the same way. It was not. The customer was not allowed an opportunity to authorize or decline the LEC freeze -- she was merely told it was being put on the service. At this time, has the LEC freeze been lifted?

Activity 02/25/2004 01:01 PM Phone: Sheri Hoyt >> Ms

Called Ms, I informed Ms the company did not have proper authorization for the LEC freeze. I asked Ms if she knew whether service has been ported. She does not. I told Ms I was still waiting for a response from the company on the freeze being lifted, I would call her as soon as I heard back from it. In the meantime, Ms will try calling Qwest to place a winback order. Ms thanked me profusely for helping her with this matter.

Activity 02/27/2004 12:31 PM Email: Sheri Hoyt << Mat Myers

The Freeze was lifted on Jan 31st, 2003. Please let me know if there is anything else I can do for you!

Activity 02/27/2004 12:41 PM Email: Sheri Hoyt >> Mat Meyers, cc Don Taylor

This information conflicts with information provided in your initial response. Your 2/11/04, response stated, "We again called Qwest on 2/9/04 (Robin @ ISC 1:30pm) and were told that their new connect order was still pending and we cannot place our change order until they cancel their N50364490 order." How, if the order was still pending on 2/9/04, could the LEC freeze have been removed on 1/31/03? Please explain.

Activity 03/02/2004 03:00 PM Phone: Sheri Hoyt << Ms

Ms called, left message with Janice that Tel West would not remove the freeze. The call slip was routed to

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Lynda. Lynda called the customer and determined she had an open complaint. Lynda gave the call slip to me.

Activity 03/04/2004 11:14 AM Email: Sheri Hoyt >> Mat Meyers, cc Chris Sturgel, Don Taylor  
I have not received a response from you to my request for clarifying information. I sent the request on 2/27/04. Your response was due yesterday, 3/3/04. I will be alleging one violation per day until I receive your response. In addition, the customer contact the Commission to report that the freeze has still not been lifted. What is the delay in removing the unauthorized freeze from this customer's service so she can switch away from Tel West?

Activity 03/04/2004 11:16 AM Phone: Sheri Hoyt >> Ms  
Called Ms, I gave her an update of the complaint. I explained that the company had provided me conflicting information and has failed to respond timely to a request for clarification. I told Ms I will contact her as soon as I have further information.

Activity 03/04/2004 03:15 PM Email: Sheri Hoyt << Mat Myers  
The notes are incorrect regarding the line freeze removal on Jan 31st. I apologize for the confusing information. On Feb 9th, 10th and 12th, we informed the customer that our line freeze removal order was being blocked by Qwest's new connect order(N50364490). She informed us that she could not convince Qwest to stop that order and they were telling her that we didn't know what we were talking about. The line freeze is being removed, dd 3/4/04 with order R52739305. Please let me know if there is anything else I can do!

Activity 03/12/2004 02:53 PM Email: Sheri Hoyt >> Qwest rolodex  
Inquiry only. Can Qwest confirm that this customer's phone service has successfully been ported back to Qwest from Tel West? Tel West had an unauthorized LEC freeze on the line that was stopping the winback earlier. I've received conflicting information from Tel West and want to be sure customer is now with her preferred provider, Qwest.

Activity 03/12/2004 03:28 PM Email: Sheri Hoyt << Kathy H Perry  
Steve will answer this inquiry for you.

Activity 03/16/2004 01:36 PM Email: Sheri Hoyt << Steve Oxnevad  
Ms *Identifying information withheld at customer's request* originally had Qwest local service under account number *withheld financial or other sensitive information*. Established 5/14/01 credit class A. Records show our receipt of PON from CLEC TelWest on 1/13/04, to discontinue and port out the Qwest service as of 1/16/04. The notes indicate that Marilyn contacted us on 1/27/04, to begin the process for a winback to Qwest. Initial due date discussed was 2/2/04, however, the CLEC account had local service freeze in place. We advised Ms *Identifying information withheld at customer's request* to contact TelWest and also sent her a letter. Our winback group checked the status of any local freeze removal at different intervals thereafter, on 2/9, 2/18 and 2/28. TelWest apparently generated an order through interconnect to remove the local freeze 3/4/04, but did not directly advise our winback group. On 3/10/04, the Qwest winback order was released with a 3/15/04 due date. The order shows completed on 3/15 and posted now as a new Qwest account. Let me know if you need anything else.

Activity 03/16/2004 02:27 PM Phone: Sheri Hoyt >> Ms  
Called Ms, I informed her the service has been ported back to Qwest. Ms asked what she should do about the bill. If the bill comes, and she disagrees with the total due, she will first dispute with Tel West and call

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me if she can't resolve. Ms thanked me profusely for helping her.

Activity 03/16/2004 02:32 PM Email: Sheri Hoyt >> Steve Oxnevad/Qwest  
Thank you for the information. You may close this inquiry.

Activity 03/16/2004 02:34 PM Email: Sheri Hoyt >> Mat Meyers, cc Chris Sturigel, Don Taylor  
You may close this complaint. Please be aware, customer will likely be calling Tel West to dispute the bill when it arrives. The reason she ported back to Qwest was that the monthly bill came in much higher than was promised. Ms understands she must first dispute the charges with the company. If not resolved, she can call the Commission.

Activity 03/16/2004 04:24 PM Email: Sheri Hoyt >> Mat Meyers, cc Chris Sturigel, Don Taylor  
I'm sorry, after I sent the email that you could close this complaint, I realized there was one violation that was not cited. The violation for failing to lift the freeze. WAC 480-120-147(5)(d)(i)(ii) describes the methods of lifting a freeze. It would appear that Tel West did not institute either of the methods - written or electronic, or the three-way conference call with Qwest. This complaint is now closed.

Activity 03/16/2004 07:52 PM Email: Sheri Hoyt << DON TAYLOR  
Are you saying that a CLEC is in violation of the WAC if they accept the customer's verbal order to remove a freeze and pass it to the ILEC without a three-way conference call with the ILEC at the time the freeze removal is requested by the customer? I don't understand the logic of that. What if the customer does not want to participate in a conference call for some reason, or if an ILEC representative cannot be obtained for a conference call? Strict interpretation of that rule, in my opinion, is unfair to the CLEC who tries to honor the customer's request by accepting the order and passing it immediately to the ILEC via an LSR. Please help me understand if I am missing something here, but if the freeze was lifted in accordance with the customer's wishes, why does that warrant a violation by Tel West just because there was no conference call with Qwest?

Activity 03/17/2004 09:17 AM Email: Sheri Hoyt >> Don Taylor  
The customer filed this complaint on February 10. She stated she requested numerous times in the previous 3 weeks that the freeze be removed. The freeze was not removed until March 4. I don't think that that qualifies as the freeze being lifted in accordance with the customer's wishes. She wanted the unauthorized freeze removed in January. It didn't get done until March. According to Qwest's records, the customer requested a winback on January 27, due date was set for February 2. Qwest advised her of the freeze and instructed her to contact Tel West to remove the freeze. Customer says she did that. (Misinformation provided by Mat Myers showed the freeze was lifted January 31, so that appears to provide documentation that the customer did contact Tel West in January to remove the freeze.) Qwest then checked the status on the freeze on February 9, 18 and 28. Records indicate Qwest's Interconnect group did not receive TelWest's order to remove the local freeze until March 3. I am not saying that a CLEC would be in violation if it does not participate in three-way conference call. However, WAC 480-120-147(5)(d)(ii) states the option must include a mechanism that allows a three-way conference call. Had Tel West done that, the freeze could have been lifted much sooner than it was. Tel West didn't offer it, therefore, I cited the violation. If you would like to argue the violation further, I'd be happy to have my supervisor, Suzanne Stillwell, review this again and contact you. If she determines Tel West is not in violation, I'd be happy to remove the alleged violation I cited.

Activity 03/17/2004 09:34 AM Email: Sheri Hoyt << DON TAYLOR  
Thanks for the clarification. If the violation is being cited because the order to remove the freeze was not

issued in a timely manner, that is different from citing a violation for not setting up a conference call with Qwest. I don't have enough information to argue your citation in this case, so I won't do so now. My primary concern was whether Tel West needs to set up a conference call with Qwest every time a customer wants to lift a freeze. I will bring this option to Tel West's attention, however, because it does seem like a good way to take care of the request immediately and avoid problems.

**Complaint #87670**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer called to say she had been slammed by Tel West. Says this occurred about 2 weeks ago. Says that her lec is Qwest and wants to be ported back. States that the company did a third party verification but customer states that she advised the verifier that she wasn't sure that she wanted to switch. Says that the day after the verification procedure, she called Tel West to advise that she didn't want service switched. Customer states that she has not received a bill at this time. Customer advised that she has not been restored to Qwest due to a local service freeze. Customer wants to be restored to Qwest immediately. Please remove local freeze and provide LOA or TPV for the switching of the service and for the customer's request to have the local service freeze applied. Passed to Tel West @ 10:59am on 2-10.

Activity 02/11/2004 04:16 PM Email: Mike Meeks >> customer

Please contact Qwest to order the port of your number back to them. Tel West has advised that the line freeze has been removed. You can reach Qwest at 1-800 244 1111. I am working on the rest of the issues of this complaint and will be in touch with you when I know more.

Activity 02/11/2004 04:17 PM Email: Mike Meeks << mat myers

The line freeze was removed with order # R50838507, DD 2/10/04. I have attached the customer Recorded TPV. If you have problems with the file type or playing the file, you can see Roger Kouchi about converting it to a file type that your computers will play.

Activity 02/12/2004 08:42 AM Email: Mike Meeks << customer

thank you Mike. By the way the phone number I had originally dialed to get you was dailed incorrectly and they had two Mike's with what seemed one had a similar last name... eerie... He called back and that is how I found out. So there is only one Mike at your place as mentioned.

Activity 02/13/2004 08:46 AM Email: Mike Meeks >> mmyers

The Commission has no way to open the TPV attachment. Please send this via email in another format or please send it to me via U.S. Mail. I will need the TPV for *Identifying information withheld at customer's request*.

Activity 02/13/2004 12:07 PM Email: Mike Meeks << customer

to let you know I will be going on vacation on the 22nd of feb

Activity 02/13/2004 12:10 PM Email: Mike Meeks >> customer

Thanks for the information. Have you contacted Qwest yet? Please let me know.

Activity 02/13/2004 12:18 PM Email: Mike Meeks << customer

yes Mike I did contact quest and they said all is going through.. I still don't see my caller id working though so I don't know if the services are all up yet.

Activity 03/08/2004 09:45 AM Email: Mike Meeks >> csturgul

This complaint was worked by Mat Meyers. He sent an attachment of the TPV but the Commission does not have a program to open it. Please send the TPV audio in a wave file format or in some other fashion. An audio cassette or a c.d. that you mail to me would work also.

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Activity 03/12/2004 09:21 AM Email: Mike Meeks >> csturgul

Please provide a copy of the TPV in a format that I can access. The Commission has no way of opening the attachment in the format that it was sent. You may send it by mail or in a wave file. I asked for this information on 2-13, and again on 3-8 but have yet to receive it. I am issuing a violation of 480 120 166 for failure to respond to a request for information.

Activity 03/12/2004 09:46 AM Email: Mike Meeks << DON TAYLOR

Tel West is now able to provide TPV files in WAV format, and has done so upon request for several weeks. I'm sure they will provide you the requested TPV as a WAV file. However, on behalf of Tel West I will object to the assessment of a violation for "failure to respond to a request for information." I have reviewed WAC 480-120-166 and see no requirement to provide requested information in a specific format. I personally provided the VCE software to Roger Kouchi, helped him set it up to play VCE files, and heard him listening to a TPV file. The software is easily attached and forwarded to others via email. I have listened to many TPV files on the VCE player without any difficulty. Although it is more cumbersome than WAV, it does provide the requested information. Unless you can cite a regulation requiring a company to provide the information in a specific format, I don't believe you have grounds for assessing a violation in this case.

Activity 03/12/2004 10:04 AM Email: Mike Meeks >> DON TAYLOR

I understand your concern. The problem is not that the company has to send the material in a specific format it is that I didn't get a response to my earlier attempt 2-13 to get this information. Additionally, I didn't get a response to my most recent request for information on 3-8. That is the reason for the violation. Please review 480 120 166 (8).

Activity 03/17/2004 03:47 PM Phone: Sheri Hoyt << Ms

Ms called for Mike. I told her he was out for the afternoon. Ms did not wish to leave him a voicemail message. Ms asked that I tell Mike she received a bill from Tel West for \$61.00. She is not going to pay the bill. She would like Mike to call her. Ms feels it's an urgent matter.

Activity 03/19/2004 01:57 PM Phone: Mike Meeks >> customer

Called for update. Advised that she has received a bill for \$60+ from Tel West. Says she has been back with Qwest for some time. Advised that I was still waiting for the TPV.

Activity 03/19/2004 05:27 PM Email: Mike Meeks << Chris Sturgul

We are trying to get the file in a .wav format but the files are not coming through because of size. We are working on this problem. Sorry that you weren't updated on this.

Activity 03/25/2004 03:03 PM Email: Mike Meeks >> csturgul

The customer has advised that she recently got a bill for \$61. Can you tell me if this is the final bill or has the account not been officially closed out. I think she ported back to Qwest mid Feb. Please advise.

Activity 03/29/2004 07:19 PM Email: Mike Meeks << Chris Sturgul

Here is the TPV file in .WAV. The final bill has been generated as of yet.

Activity 03/30/2004 01:39 PM Action: Mike Meeks

Listened to the third party verification. Customer signed for "Value Plan " with no voice mail. This plan included 200 minutes of long distance. Additionally, customer was advised that if she dropped service

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within 30 days, then no charge. Did not here a TPV for the line freeze.

Activity 03/30/2004 02:05 PM Email: Mike Meeks >> csturgul

I listened to the entire tpv. The recording supports the point that the customer was not slammed, it is clear that the customer wanted her service switched to Tel West. There is a problem with the line freeze however, in that there is no tpv for the line freeze that was put on the customer's service. This would appear to be a violation of WAC 480 120 147 (5). Additionally, the TPV interviewer advised the customer that if she cancelled service within 30 days, she would not be charged. It is not clear to me when the customer's service was switched, However she ported back to Qwest sometime in mid Feb. The customer states that she has been billed \$61. Please advise. Thanks, Mike

Activity 04/07/2004 08:40 AM Email: Mike Meeks >> csturgul; donaldotaylor; jswickard

I sent the following to Chris on 3-30 but have not received a response regarding the billing issue. The TPV mentioned a 30 day cancellation option:

I listened to the entire tpv. The recording supports the point that the customer was not slammed, it is clear that the customer wanted her service switched to Tel West. There is a problem with the line freeze however, in that there is no tpv for the line freeze that was put on the customer's service. This would appear to be a violation of WAC 480 120 147 (5). Additionally, the TPV interviewer advised the customer that if she cancelled service within 30 days, she would not be charged. It is not clear to me when the customer's service was switched, However she ported back to Qwest sometime in mid Feb. The customer states that she has been billed \$61. Please advise. Thanks, Mike

Activity 04/09/2004 11:19 AM Action: Mike Meeks reviewed.

Activity 04/12/2004 07:05 PM Email: Mike Meeks << Chris Sturgul

Sorry I've been on vacation. The customer is correct that if she canceled service she would not be charged the installation fee of 79.99. Her invoices went out prior to the loss being recorded in the billing system. The amount she will owe is about 22.08 for 16 days of service.

Activity 04/13/2004 08:22 AM Email: Mike Meeks >> customer

I have finally reached the conclusion of this complaint. The bottom line here is that you will owe Tel West \$22. This is for 16 days of service. You were right that the install fees would be credited if you dropped service within the first 30 days. The promotion did not include the actual charges for usage being credited off. I did issue violations of the rules against Tel West for not responding timely and for not using the proper format for getting the local service freeze implemented. I know you don't want to pay Tel West anything, but my advice to you would be to pay the \$22 and get this behind you. The company has the right to bill you for service they actually provided. They will pursue this in collection if you do not pay. I hope this information is helpful to you. I have closed your complaint at this time. Please call me or email me back if you have any questions at 1-800 562 6150.

Activity 04/13/2004 08:58 AM Email: Mike Meeks << *Identifying information withheld at customer's request*

I am not going to pay since I didn't authorize them to switch me as I mentioned to them I wanted to review their website and that if there was any cancellation fee then I was not interested in being switched over. I had called them after I couldn't find their website 1 hour later and told them not to switch me over. They said that it was cancelled and I would not be billed for this. So it is their error to switch me. In addition to what they did illegally. I would appreciate your assistance with this. thanks again for helping.

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Activity 04/13/2004 09:11 AM Email: Mike Meeks >> customer

I'm sorry to say that I can't do any more for you. If you choose to not pay, that is your choice. The third party verification records you as accepting the service. The recording is not ambiguous. It is clear. It may be that you said other things to the verifier and the telemarketer, but they are not recorded. I am bound by the rules in Washington State. If the Audio verification is within the rules, that is all I can do. If the company sends the \$22.08 bill to collection, you may have the opportunity of fighting it in civil court. I can do no more however.

Activity 04/13/2004 09:31 AM Email: Mike Meeks << *Identifying information withheld at customer's request*  
I understand you can only do so much. I have copies of all my documentation. I will keep copies of your documentations as well in addition I will keep a copy of my quest bills showing no break in service for more than 2 weeks. In that they called in November and that qwest was still active then. I also have a copy of the tape I recorded saying that I had cancelled it an hour later and that they confirmed the cancellation. Thanks

**Complaint #87687**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer has been attempting to port phone service on *Identifying information withheld at customer's request* and *Identifying information withheld at customer's request* away from Tel West to Qwest. Mr has been told he has a LEC freeze on the service which is causing the delay in porting the service. He did not authorized the freeze. Tel West is saying the freeze has been lifted, however, Qwest still can't take the service. Mr wants the freeze on both lines lifted immediately so Qwest can port the numbers.

>Please provide the verification recording for the LEC freeze.

>Has Tel West lifted the freeze on this customer's phone numbers? And if so, when?

9:28)passed to Mat Meyers, Don Taylor @ Tel West via email. Please respond in accordance with WAC 480-120-166(6).

Activity 02/11/2004 04:45 PM Email: Sheri Hoyt << Mat Myers

We do not have copy of authorization of the line freeze on this account. The problem with the Line Freeze removal has been rectified. We had placed a request on 12/31/03 to remove the freeze, but only one line of the account was affected, leaving the other with the line freeze. That freeze was removed with R50597806 and I have verified with Qwest that their conversion order will take place today. Please let me know if there is anything else I can get for you!

Activity 02/12/2004 11:59 AM Email: Sheri Hoyt >> Mat Meyers

I'll be citing a violation of WAC 480-120-147(5) as Tel West failed to get proper authorization for the local exchange freeze placed on the customer's service. I'll get back to you to close.

Activity 02/17/2004 01:58 PM Voice Mail: Sheri Hoyt >> Mr

Left message for Mr to return my call. I provided my toll-free number and hours of availability. I stated if I hadn't heard from him by close of business on 2/19, I would close the complaint. However, he can contact me at any time to get the results.

Activity 02/18/2004 12:34 PM Phone: Sheri Hoyt << Mr

Mr called, I gave him the outcome of my investigation. Mr then wanted to discuss that Tel West ported his service from Qwest without his authorization. Mr said he authorized the service on 12/6/03, however,

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he called on 12/8/03 and canceled the service. On 12/18/03, after receiving another letter from Tel West, customer again called the company to cancel the service. Operator 34049 verified that the order for service was canceled. Mr was then switched to Tel West's service without his authorization. Mr received a bill for \$123.35, which he paid because he was given information from DJ Suits of this office, that he wouldn't be able to switch back to Qwest if he owes Tel West any money. That Tel West wouldn't have to release the number to Qwest. I told Mr I would pass this additional complaint to Tel West and get back to him as soon as I have information for him. I told him it would likely be a couple weeks before I contact him.

Activity 02/18/2004 12:57 PM Email: Sheri Hoyt >> Mat Meyers

When I talked to the customer to let him know the outcome of my investigation on the LEC freeze, he identified another complaint he has with Tel West. Mr says Tel West ported his service from Qwest without his authorization. Mr said he authorized the service on 12/6/03, however, he called Tel West on 12/8/03 and canceled the order. On 12/18/03, after receiving another letter from Tel West, customer again called the company to cancel the service. Operator 34049 verified that the order for service was canceled. Mr was then switched to Tel West's service without his authorization. Mr received a bill for \$123.35, which he paid because he was given information from DJ Suits of this office, that he wouldn't be able to switch back to Qwest if he owes Tel West any money. That Tel West wouldn't have to release the number to Qwest. (I am not confirming this information, merely relaying it as was stated by the consumer.) What I need from Tel West now is information on the switch itself.>Did customer call Tel West on 12/8/03 to cancel his order?

>Does Tel West have record of his call on 12/18/03, as well, to cancel the service?

>Does Tel West have an employee 34049?

>Please provide the authorization recording for the switch from Qwest to Tel West.

This issue has been sent in a complaint to the Attorney General of Washington. The Commission hasn't received it from the AGs yet, which is the normal procedure, so you may well receive an inquiry from the AGs office about this same thing. If you have any questions, please let me know. Sorry to be providing this information at the end of the investigation. Unfortunately, this is when the consumer brought it up. This complaint is not closed.

Activity 02/26/2004 04:27 PM Email: Sheri Hoyt >> Mat Meyers, cc Don Taylor

I have not received a response from you to my February 18, email (below). I will be citing daily violations of WAC 480-120-166(8) beginning tomorrow morning at 8:00 a.m., until I have received your response to this consumer's newest issues.

Activity 02/27/2004 12:31 PM Email: Sheri Hoyt << Mat Myers to <audiorequest@capitolverification.com>

Can I please get file number 702833115 from 11/22/03 emailed in .WAV format to hoyt@wutc.wa.gov, donalddtaylor@msn.com, and mmyers@telwestservices.com?

Activity 02/27/2004 12:31 PM Email: Sheri Hoyt << Mat Myers

I have no record of the customer calling on the 18th of December, the first call I show was on the 23rd of December. Tel West does not have an employee 34049, nor does it refer to any employees as numbers, only names and 3 digit extensions. I have requested a copy of the verification file be emailed to you in a .WAV format. This may take a couple of days to receive. Please let me know if there is anything else I can do for you!

Activity 03/04/2004 03:45 PM Email: Sheri Hoyt << Mat Myers

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>Did customer call Tel West on 12/8/03 to cancel his order?

I don't show any notes that the customer called prior to 12/23/03. He requested line freeze removal.

>Does Tel West have record of his call on 12/18/03, as well, to cancel the service?

12/23 is the first call noted on the customers account.

>Does Tel West have an employee 34049?

No, Tel West does not have employee numbers.

>Please provide the authorization recording for the switch from Qwest to Tel West.

Attached is the .WAV file of the TPV recording.

Let me know if there is anything else I can do for you!

Activity 03/04/2004 04:25 PM Action: Sheri Hoyt

I listened to the verification recording. The recording was made on 11-22 (no year was given). The sales rep stated the authorization was for *Identifying information withheld at customer's request* and *Identifying information withheld at customer's request*. The customer selected the Value Plan Package with provided call waiting, caller id and 3-way calling. Mr was brought on the line. He confirmed his name as *Identifying information withheld at customer's request*. He confirmed both phone numbers to be switched. The verifier asked him if he was over the age of 18 and authorized to make changes to the service. He said yes. The verifier asked if he was authorizing Tel West to provide his local phone service. He said yes. The verifier asked if he was authorizing Tel West to provide his local long distance. He said yes. The verifier asked if he was authorizing Tel West to provide his state to state long distance. He said yes. The verifier asked if he was authorizing Tel West to provide his internation long distance. He said yes. The verifier asked Mr if he understood that Tel West was not affiliated with his local phone company, Qwest. He said yes. The verifier than provided an explanation of the calling plan he had selected and the prices: \$29.95 for the first line and \$16.99 for the second with no features. A total of \$46.98 plus taxes each month and customer will receive \$10.00 coupon in the mail. The verifier then goes on to explain that customer will not have to pay \$79.99 installation charge if he cancels service in under 30 days or after 12 months. Verifier asks customer for his date of birth. Customer gives 9-7-43. Verifier then asks customer to verify his address. Mr states *Identifying information withheld at customer's request*.

Activity 03/08/2004 10:48 AM Phone: Sheri Hoyt >> Mr

Called Mr, I told him that the company received proper authorization for the switch, that I am not able to cite a slamming violation on this. Mr said he authorized it, but he called the company later and told them he didn't want their service. I told Mr I was unable to prove that so I am unable to find that the company is in violation of any rule. Mr then went on to say that he received a bill for services from February 23 to March 22. I asked Mr if he had addressed that issue with the company. He said he sent a letter. Mr also said he felt the bills were higher than they were supposed to be and he also sent a letter to the company about that. I advised Mr to call Tel West and ask for a supervisor. Mr will call me if he's not able to resolve the issue with the company directly. I told Mr I was closing the complaint.

Activity 03/08/2004 11:02 AM Email: Sheri Hoyt >> Mat Meyers

Please be aware this customer has a billing dispute with Tel West. He says the bills were higher than he was told they would be and he received a bill for services from February 23 to March 22. Customer ported away from Tel West on February 11. I've directed the customer to contact Tel West via phone, to ask for a supervisor, and attempt to resolve these issues directly. Mr says he's written two letters to Tel West regarding his dispute. Please be aware Tel West is required by rule to respond to consumer complaint letters. Mr will call me if he's not able to resolve his disputes with Tel West. A new complaint would be opened at that time. This complaint is closed.

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**Complaint #87696**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer called to say that he has been slammed away from Qwest by TelWest. Customer states that he received a telemarketing call from somebody and customer stated he would accept some literature regarding Tel West but did not agree to switch. About 1 week ago, customer found that the service had been switched away from Qwest. Customer states he has attempted to port back to Qwest but there is a freeze on the service with TelWest. Additionally, customer was told that he could have inter and intralata long distance with TelWest and he could have a 3 cent per minute calling plan to the Phillipines. Please provide letter of agency or TPV of switch. Please provide third party verification of local freeze. Customer states that he got first bill for \$59.

Reopened the complaint on 3-11. Customer states he got bill from TelWest for \$320 in charges.

Activity 02/12/2004 11:43 AM Email: Mike Meeks << Mat Myers

The customer signed up with Tel West on 12/12/03. I have attached the TPV recording for your review. - 688353127.VCE

Activity 02/13/2004 08:46 AM Email: Mike Meeks >> mmyers

The Commission has no way to open the TPV attachment. Please send this via email in another format or please send it to me via U.S. Mail. I will need the TPV for *Identifying information withheld at customer's request*.

Activity 02/23/2004 06:06 PM Email: Mike Meeks << Mat Myers

Here is the TPV file. Sorry it took so long to get. Let me know if there is anything else I can do to help!

Activity 02/24/2004 04:17 PM Action: Mike Meeks

Listened to TPV. Customer agreed to switch service for local, long distance with international plan to Phillipines, local long distance. The TPV indicated that there would be a local service freeze but the customer was not offered this as a choice.

Activity 02/24/2004 04:32 PM Phone: Mike Meeks >> customer

Called the customer. Explained that the switch of the service was proper with the exception of the freeze on the account. Advised that I would contact Tel West and ask them to remove the freeze if he wished. stated that he wanted it removed. Customer stated that he didn't receive the service features that he needed the most including the voice messaging. Advised customer of the procedures to port to another company. Customer stated he understood. Closed with customer.

Activity 02/24/2004 04:47 PM Email: Mike Meeks >> Mat Meyers

Everything about the TPV was proper with the exception of the procedure for implementing the local freeze. I am issuing a violation of WAC 480 120 147(5)(c). Let me know if you dispute. The customer has indicated to me that he would like to have the local freeze removed. I will advise him to call TelWest to have this done. I have closed this complaint. Thanks for your help.

Activity 02/24/2004 04:58 PM Email: Mike Meeks >> customer

This is a follow up to our phone conversation today. In order to lift the freeze at Tel West, you will need to call them at 1-877 463 9366 and let them know that you want it removed. The rules in Washington

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state that only the customer can do this. After you contact TelWest, you will need to contact Qwest for a "Winback". Qwest can be reached at 1-800 244 1111. Do not advise TelWest to disconnect your phone or Qwest will not be able to get your service back up with your same number. You will also want to advise Qwest regarding long distance calling and the plan you need. Especially because you make international calls to the Phillipines. I hope this information is helpful to you. Please contact me here at the Commission if you have any questions. I can be reached at 1-800 562 6150 or by email at mmeeks@wutc.wa.gov

Activity 03/05/2004 01:06 PM Email: Mike Meeks >> csturgul

Mat Meyers worked this complaint for me some time back. Customer was switched to Tel West. Agreed on the TPV for interlata, intralata and international calling plan to the Phillipines. Customer was advised by the telemarketer that the rate for calls to P.I. was 3 cents per minute. Customer got first TelWest bill with \$320 in charges. Wants re-rate. Please advise.

Activity 03/08/2004 11:05 AM Voice Mail: Mike Meeks << customer

Left voice mail indicating that he has been billed \$320 for long distance calls.

Activity 03/08/2004 11:06 AM Phone: Mike Meeks >> customer  
ma

Activity 03/11/2004 12:00 PM Phone: Mike Meeks << customer

Called for information. Advised that a response to this complaint was due today. Advised customer to call me back for information. Said he would. Customer has been difficult to reach by phone.

Activity 03/15/2004 11:05 AM Email: Mike Meeks >> csturgul

I sent the following to Tel West on 3-5. Please advise.

Mat Meyers worked this complaint for me some time back. Customer was switched to Tel West. Agreed on the TPV for interlata, intralata and international calling plan to the Phillipines. Customer was advised by the telemarketer that the rate for calls to P.I. was 3 cents per minute. Customer got first TelWest bill with \$320 in charges. Wants re-rate. Please advise.

Activity 03/19/2004 06:02 PM Email: Mike Meeks << Chris Sturgul

We will honor the \$0.03 rate that the customer says he was quoted by the telemarketer for the current invoice and any made calls made up to 03/21/2004. For calls after 03/22/04 he will need to pay the correct rate if he makes calls to the PI. Customer called in today to have freeze removed and order was placed with a DD of 03/22/04.

Activity 03/19/2004 06:15 PM Email: Mike Meeks << Chris Sturgul

Mike can you send me Mat's responses? He is out of town and I don't have any copies.

Activity 03/22/2004 08:21 AM Email: Mike Meeks >> csturgul

Thanks for the response. Please scroll down for the entire complaint text. all of the responses by Mat are included. Please advise as to the amount of the re-rate credit that will be applied to this customer's account.

Activity 03/22/2004 08:24 AM Email: Mike Meeks >> customer

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I have contacted Tel West and they have agreed to re-rate the international calls to 3 cents per minute. I have asked the company to let me know the credit amount. I will contact you when I know the amount.

Activity 03/25/2004 02:04 PM Email: Mike Meeks << *Identifying information withheld at customer's request*  
I finally got to a computer today and got this letter. Thanks very much!!!! Here's the history of this event since our last conversation. I called TelWest and got an operator who, when I asked her, assured me that there was no freeze on my account. I was doubtful, but nonetheless called Qwest and we went through the whole signing up process. A week later I got a note in the mail from Qwest saying that they were sorry that they couldn't switch me because there was a freeze on my account. So, I called TelWest back and got a different girl who said, "Oh yes, there is a freeze on your account." I asked her if she could remove it and she said she could. However, she wanted to know why I wanted it removed and I told her about the \$.03 versus the \$.87. She said that she understood that and that she would see that the man who told me that would be reeducated. She then assured me that the freeze would be off in no more than 48 hours. I then called back to Qwest and had to go through the whole sign up process again. The girl at TelWest must have been as good as her word because TODAY I am back on Qwest!!!! This might interfere with their offer to refund the \$.84, but if any of it gets back it will be good and maybe my wife will stop calling me "her idiot husband."

Activity 03/25/2004 02:13 PM Email: Mike Meeks >> csturgul  
Can you give me a figure for the re-rate of the customer's calls? With that info, we can close.

**Complaint #87717**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer wants to switch his local phone service from Tel West to Qwest. Tel West has a LEC freeze on his account that is prohibiting the port. Mr says he did not ask for the LEC freeze. Mr wants the LEC freeze lifted immediately so Qwest can take his service.

>Please provide the TPV for the LEC freeze on this account.

>Please lift the freeze immediately so Qwest may port this service in accordance with the customer's wishes.

11:10)passed to Mat Meyers, Don Taylor @ Tel West via email. Please respond in accordance with WAC 480-120-166(6).

Activity 02/12/2004 11:43 AM Email: Sheri Hoyt << Mat Myers

Tel West does not have a copy of notification of the line freeze. The customer's line freeze was removed on 2/6/04 with order number R50592702. Please let me know if there is anything else I can do!

Activity 02/12/2004 11:50 AM Email: Sheri Hoyt >> Qwest Complaints

This is not a complaint against Qwest. Customer has been attempting to port service to Qwest, however, Tel West had a LEC freeze on the line that was prohibiting it. The freeze was lifted on 2/6/04. Can you tell me the status of the port?

Activity 02/12/2004 11:59 AM Email: Sheri Hoyt >> Mat Meyers

I'll be citing a violation of WAC 480-120-147(5) as Tel West failed to get proper authorization for the local exchange freeze placed on the customer's service. I'll get back to you to close.

Activity 02/12/2004 02:14 PM Email: Sheri Hoyt << Marilyn Spence

Kathy Perry will handle this

Activity 02/13/2004 07:51 AM Email: Sheri Hoyt << Kathy H Perry

Telephone Number: *Identifying information withheld at customer's request*

Summary of Customer Complaint:

Customer wants to switch his local phone service from Tel West to Qwest. Tel West has a LEC freeze on his account that is prohibiting the port. Mr says he did not ask for the LEC freeze. Mr wants the LEC freeze lifted immediately so Qwest can take his service.

Comments/Research/Solution:

For Your Information: Customer application date for service was 1/29/2004. Service was installed with Qwest on N50587172, 2/11/2004. Please let me know if you need any additional information.

Activity 02/13/2004 08:13 AM Email: Sheri Hoyt >> Kathy Perry/Qwest

You may close this inquiry.

Activity 02/17/2004 02:02 PM Voice Mail: Sheri Hoyt >> Mr

Called Mr, left message that Tel West lifted the LEC freeze on 2/6/04 and reports Qwest took his service back on 2/11/04 - the day before he filed his complaint. I stated I was closing the complaint and that I had cited the appropriate violations. I provided my toll-free number and hours of availability.

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Activity 02/17/2004 02:05 PM Email: Sheri Hoyt >> Mat Meyers/Tel West  
You may close.

**Complaint #87780**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer received a letter dated 2-16-04 from Tel West welcoming him to its service. Approximately 3 months ago customer authorized the service, however, each time he receives a letter stating it's to be installed, he's called to cancel the service. He does not want Tel West's service. Qwest reports to Mr that service was ported to Tel West on 2-16-04. Qwest's attempts to switch the service back, however, it appears there is a LEC freeze on the account. Customer says he did not authorize the freeze. Mr says Tel West told him it would not lift the freeze and allow Qwest to take the service. The letter Mr received states he will have to pay a significant penalty if he cancels the service with Tel West.

>Why, if customer has called to cancel the service several times, was service ported from Qwest?

>Does Tel West have a LEC freeze on the account that is prohibiting Qwest from taking the service back?

If so, please provide the LOA or TPV for the freeze.

>Has Tel West refused to remove the LEC freeze?

12:18)passed to Mat Meyers, cc Don Taylor @ Tel West via email.

Activity 02/25/2004 12:17 PM Email: Sheri Hoyt >> Mat Meyers, cc Don Taylor

This complaint was passed to Tel West on 2/18/04. Tel West's response was due, in accordance with WAC 480-120-166(6), no later than 5pm on 2/20/04. As this customer's complaint is service-affecting (he is prohibited from switching to his preferred phone company), your response was due within two business days. I will be alleging violations for each day that the response is not received by the Commission. As of today, I have cited 3 (February 20, 23, and 24). Please respond to this complaint to avoid further alleged violations.

Activity 02/27/2004 12:23 PM Email: Sheri Hoyt << Mat Myers

Sorry for the delay in response. Chris Sturgul will now be the primary contact for this and further complaints. You can always contact me if you have any questions at mmyers@telwestservices.com or 206-577-6339.

Activity 02/27/2004 12:30 PM Email: Sheri Hoyt >> Mat Meyers, cc Don Taylor/Chris Sturgel

Please be aware I've cited 5 violations so far (not counting today if response is not received by 5pm) for non-response on this complaint.

Activity 02/27/2004 04:35 PM Email: Sheri Hoyt << Chris Sturgul

Here is what I have found out about this account.

1. Our records show that the customer called on 2/18/04 to have the LEFV removed. That is the first record of the customer contacting TWC.
2. TWC did have a freeze on the account. An order to remove the freeze was placed on 02/18/04 when the customer called. That order completed on 02/20/04, order #R51622804. At the time that this customer agreed to have service with TWC the freeze was not part of the TPV.
3. No TWC did not and does not refuse to remove a freeze.

Activity 03/04/2004 12:41 PM Email: Sheri Hoyt >> Chris Sturgel, cc Don Taylor, Mat Myers

I have cited a violation of 480-120-147(5) for the unauthorized LEC freeze. Can you tell me if this customer's service has ported away from Tel West? And if so, when?

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Activity 03/04/2004 01:30 PM Email: Sheri Hoyt << Chris Sturgul  
The customer is currently still on TWC platform. Qwest has a pending order of 53547264 Dated 05/09/04 to migrate away from TWC. When that order completes TWC will update account and send a final bill.

Activity 03/04/2004 02:38 PM Email: Sheri Hoyt >> Qwest Complaints  
Inquiry only. Customer filed complaint against Tel West because it had an unauthorized LEC freeze on his line prohibiting the service from being ported to Qwest. The freeze has been lifted, however, Tel West reports the port isn't scheduled to go through until May 9. Can you give me any information on the order to port this customer's service back to Qwest? And if possible, an explanation of why it's not scheduled to take place for two more months?

Activity 03/04/2004 03:48 PM Email: Sheri Hoyt << Marilyn Spence  
Alesia Graham will handle this

Activity 03/05/2004 03:17 PM Email: Sheri Hoyt << Alesia Graham  
Customer Telephone Number *Identifying information withheld at customer's request*  
Summary of customer complaint: Inquiry verify due date on disconnect order D52547264.  
Comments/Research/Solution: Qwest records shows the customer due date for order D52547264 due date 3/9/2004

Activity 03/05/2004 04:19 PM Email: Sheri Hoyt >> Alesia Graham/Qwest  
Thanks for your response. March 9 is much better than May 9. Thanks! You may close this inquiry.

Activity 03/05/2004 04:28 PM Email: Sheri Hoyt << Alesia Graham  
thank you i will close

Activity 03/12/2004 03:01 PM Email: Sheri Hoyt >> Chris Sturgel cc Don Taylor  
Since your 3/4/03 email stated the port wasn't due until May 9, and that's two months away, I checked with Qwest. It states the due date on the port was March 9. Can you tell me if this customer has been switched away from Tel West yet? What will Tel West do with the bill? Customer maintains he canceled the service, prior to installation, numerous times. Please provide me a breakdown of the charges on the final bill that Mr is to be sent.

Activity 03/14/2004 07:00 PM Email: Sheri Hoyt << DON TAYLOR  
I'm sure that was a typo and that Chris meant 3/9/04. Chris, can you confirm that, as well as providing the other information Sheri is requesting?

Activity 03/18/2004 09:23 AM Email: Sheri Hoyt >> Chris Sturgel/Don Taylor  
I received a response from Don Taylor that the May 9, date for the port was a typo. However, I haven't received a response as to what Tel West will be doing with the bill. I would like a breakdown of the charges that the customer owes. Your response to this request for additional information was due yesterday. Please respond by close of business today to avoid violations for a late response (WAC 480-120-166(8)).

Activity 03/19/2004 02:21 PM Email: Sheri Hoyt >> Chris Sturgul, cc Don Taylor  
I have cited 2 violations for Tel West's failing to respond to my request for additional information made on March 12. Your response was due March 17. Yesterday, March 18, I sent an email stating I would begin alleging violations if Tel West failed to respond by the end of the day. I will continue alleging

violations each business day until I receive a response. When will Tel West be providing a response to my request for additional information?

Activity 03/22/2004 06:58 PM Email: Sheri Hoyt << Chris Sturgul

The billing needs to recycle to show changes. The breakdown should be the bill on the attached PDF less \$7.45 which would be a pro-rated amount for the days not used. Total should come out to be \$36.88 there may be a difference of a couple of cent because the taxes are computed by the database.

Activity 03/26/2004 09:14 AM Phone: Sheri Hoyt >> Mr

Called Mr, I provided the findings of my investigation. I told Mr Tel West is denying he canceled the service prior to installation. Mr does not have record of the dates and times he spoke with Tel West. Mr said he understands and will pay the final bill when he receives it. Mr thanked me for my help.

Activity 03/26/2004 09:21 AM Email: Sheri Hoyt >> Chris Sturgul

You may close this complaint.

Activity 03/26/2004 06:19 PM Email: Sheri Hoyt << Chris Sturgul

What is the outcome?

Activity 03/29/2004 09:02 AM Email: Sheri Hoyt >> Chris Sturgul

This is the result of my investigation:

Consumer Upheld.

Tel West admitted it did not have authorization to place a PIC freeze on this customer's service. The freeze was lifted and customer's service was ported back to Qwest on 3/15/04. Tel West maintains customer did not request service not be installed. Its records indicate first contact from Mr was 2/18/04 to have LEC freeze removed. The following violations were cited:1 - 480-120-166(6); - 480-120-147(5); 4 - WAC 480-120-166(8). Let me know if you have further questions.

**Complaint #87759**

Sondra Blair-Bond  
Port Townsend WA, 98368

Tel West Communications, LLC

Only wanted Tel West to send info. Tel West switched their service anyway. Won't release line back to Qwet.

- Never got any info in the mail.

Activity 02/17/2004 01:26 PM Email: Roger Kouchi >> Mat Meyers  
Mat Meyers - Please respond to this complaint. Thank you.

Activity 02/17/2004 01:27 PM Email: Roger Kouchi >> consumer  
Sondra Blair-Bond - Thank you for contacting the Washington Utilities and Transportation Commission regarding your complaint against Tel West. I have opened an informal complaint on your behalf, and will begin working with the company to resolve your complaint immediately. You will not hear from me until I've completed my investigation, at which time I will contact you to discuss my findings. If you have questions, please contact me either by email, or toll-free at 1-800-562-6150. Complaint records are public record. If you would like to keep your personal information such as name, address and telephone number confidential, please contact me either by email or at the number listed and I will note your complaint record accordingly. The company may wish to talk with you during the complaint. You are not obligated to speak to the company if you don't want to. If you chose not to speak to the company, please let me know now and I will advise them of this. However, I will be investigating your issues in this complaint.

Activity 02/17/2004 03:13 PM Email: Roger Kouchi << bonds  
This is a Return Receipt for the mail that you sent to bonds@olympen.com.

Activity 02/17/2004 03:15 PM Email: Roger Kouchi << Larry and Sondra Bond  
Thank you Roger. No, we do not want to waste any more time talking to this company. What are the ramifications of releasing my name, address, phone number? Who would use this information?

Activity 02/17/2004 03:35 PM Email: Roger Kouchi >> consumer  
The complaints filed with the WUTC are considered public records unless otherwise specified. So if someone requested all the complaints against the company, your complaint would be provided to them along with your name, address, and phone number. If you do NOT want this, then you need to specify that your personal information be confidential.

Activity 02/17/2004 06:56 PM Email: Roger Kouchi << Larry and Sondra Bond  
Thank you. I would welcome discussing this experience with anyone investigating these incidences. This is very time consuming, irritating and predatory.

Activity 02/18/2004 02:37 PM Email: Roger Kouchi << Mat Myers  
Customer went through TPV to ok switching of local and long distance service to Tel West. Order completed on 1/12/04, welcome letter sent on 2/2/04. Welcome letters are sent around the same time as the first bill. It isn't for information purposes, it is a welcome letter thanking them for their business and

giving the customer access numbers and account information. Customer's line freeze was removed on 2/12/04 with PON 021204PP38. Please let me know if there is anything else I can provide for you!

Activity 02/20/2004 03:31 PM Email: Roger Kouchi >> mat meyers

Mat Meyers - Please provide a copy of the TPV. Thank you.

Activity 02/25/2004 04:11 PM Email: Roger Kouchi >> chris sturgul

Chris Sturgul - Are you working on getting a response to me? Thank you.

Activity 02/26/2004 02:48 PM Email: Roger Kouchi << Chris Sturgul

Mat Myers will be finishing up on this one.

Activity 02/27/2004 12:31 PM Email: Roger Kouchi << Mat Myers

I have requested the file sent to you in .WAV format, but haven't received it back yet. I am going to request it again. Have you received it?

Activity 02/27/2004 12:36 PM Email: Roger Kouchi << Mat Myers

Can I please get file # 761953118 from 12/1/2003 emailed to rkouchi@wutc.wa.gov, donaldtaylor@msn.com, and [mmyers@telwestservices.com](mailto:mmyers@telwestservices.com) in .WAV format?

Activity 03/03/2004 01:24 PM Email: Roger Kouchi >> mat meyers

Mat Meyers - I haven't received the TPV yet. Please provide. Thank you.

Activity 03/04/2004 03:04 PM Email: Roger Kouchi << Mat Myers

Sorry for the delay, Roger. Here is the file in .WAV format. - 761953118.wav (((see attachment field for attachment))) Consumer verified that she Sandra Bond was authorized to make changes and agreed to switch local service; in-state long distance, state-to-state long distance, and international calls to Tel West. - 360-344-3182; PO Box 1848, Port Townsend, WA 98368 - No local line freeze authorized. - Signed up for Value Plan with VM, Speed Dial 8, 3-Way Calling. - \$33.98 plus taxes; \$79.99 activation fee waived if cancelled within 30 days or keep service for 12 months.

Activity 03/05/2004 12:32 PM Email: Roger Kouchi >> qwest

Qwest - Consumer is saying they wanted to switch to Qwest. Tel West has release the line. What is the status of the Win-Back? Thanks.

Activity 03/05/2004 01:14 PM Email: Roger Kouchi << Kathy H Perry

Alesia will respond to you on this inquiry.

Activity 03/09/2004 09:24 AM Email: Roger Kouchi << Alesia Graham

This account is listed and billed to Larry Bond only- Daughter is the only person auth.

Sondra is listed as the spouse- but she is not listed as authorized- I am providing this information because she is listed as the spouse and it may be an oversight on the husbands part. Please have Mr. Bond call in and authorize Sondra on the account before you provide my findings. Thank you. Customer Telephone Number 360 344-3182 Billed and listed to Larry Bond only - Sondra spouse

Summary of customer complaint: Customer claims Tel West switch her without authorization.

Comments/Research/Solution: Qwest records show port out was done by

Larry Bond 01/29/2004 CLEC PON 12565 CONV C47601814 Due Date 02/02/2004.

I also show the customer was ported back to Qwest

Application date 2/23/2004 order number N51751127 due date 02/26/2004

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the order posted 02/27/2004 for telephone number 360 344-3182

The service is in and working

Follow-up Date: \_\_\_\_\_ Reason:

Please notify when ready to close.

APPLICABLE CREDITS or ADJUSTMENTS:

Activity 03/09/2004 04:44 PM Email: Roger Kouchi >> mat meyers

It appears that Tel West is in violation of WAC 480-120-147(5) for failure to obtain proper authorization for the PIC freeze. Please respond to the violation. Thank you.

Activity 03/10/2004 05:23 PM Email: Roger Kouchi << Mat Myers

The customer went through TPV, which includes the PIC freeze authorization. Tel West does not feel that this violation is correct, as we have followed the procedures with this account.

Activity 03/12/2004 11:10 AM Email: Roger Kouchi >> mat myers

I listened to the TPV again. I did NOT hear the consumer authorize Tel West to place a local line freeze on the account in accordance with WUTC rules.

Activity 03/19/2004 02:01 PM Email: Roger Kouchi >> mat meyers

Mat Meyers - Please get back to me regarding this complaint. Thank you.

Activity 03/26/2004 04:33 PM Email: Roger Kouchi >> chris sturgul

Chris Sturgul - Please get back to me regarding this complaint. Thank you.

Activity 03/26/2004 06:00 PM Email: Roger Kouchi << Chris Sturgul

I checked the TPV file it seems that this was a couple of days prior to the change in the TPV script.

Activity 03/29/2004 11:06 AM Email: Roger Kouchi >> consumer

Tel West released your line back to Qwest. Have you checked with Qwest to make sure you have Qwest service at this time? I am providing a copy of the complaint record for your files. I will consider this complaint investigation closed. Please feel free to contact me if you have questions. Thank you.

Activity 03/29/2004 05:05 PM Email: Roger Kouchi << bonds

This is a Return Receipt for the mail that you sent to bonds@olypen.com.

Activity 03/29/2004 05:35 PM Email: Roger Kouchi << Larry and Sondra Bond

Thank you Roger. We are not through with TelWest. They are billing us a total of \$117.81!! Part of the charge is the \$79.99 12 month installation agreement charge. This charge was to be waived if we notified them within 30 days of start of service that we did not want the service. Since we received no notification that we had been switched and certainly no instructions for the Voice Mail feature they are claiming was included we did not know what date they switched us. Our Qwest voice mail was working the last weekend in January as we were out of town and able to pick up our messages through them. It was not until we were finally able to get through to them about our complaint that they sent out a "welcome letter" to our home mailbox not our P.O. Box. It was probably several days before we happened to notice it in the mailbox. I believe that I may have gone through the TPV sometime the end of November. I didn't remember doing it because my mother had just died and I wasn't thinking very clearly. I certainly didn't remember doing it by the end of January! What kind of communications company would

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telemarket you and not provide the service until two months later?? We do not want to pay these people one dime! In fact, we think THEY owe US for the time and inconvenience they caused us to suffer.

Thanks for your help.

Sondra Blair-Bond (the wife, no daughter lives here)

Activity 03/30/2004 09:10 AM Email: Roger Kouchi >> chris sturgul

Chris Sturgul - Consumer is disputing \$117.81. Please provide a detailed explanation of the charges. Thank you.

Activity 04/14/2004 09:13 AM Email: Roger Kouchi >> tel west

Tel West - Please get back to me regarding this complaint. Thank you.

Activity 04/14/2004 02:07 PM Email: Roger Kouchi << DON TAYLOR

Here is a brief summary of activity on this account:

Service was ordered 12/1/03;

Service order was rejected many times by Qwest for unspecified reasons;

Service order finally completed 2/2/04;

Customer called 2/10/04 requesting lift of the freeze;

Freeze lift order completed 2/12/04;

Service was transferred back to Qwest 2/26/04.

I will request the full bill detail, but Tel West does say that the customer was charged the \$79.99 in error and has credited that charge. According to Tel West's records, the customer now owes \$37.82. I will provide the full bill detail once I receive it.

Activity 04/15/2004 10:08 AM Email: Roger Kouchi << DON TAYLOR

Here is the information you requested. (((see activity attachment field)))

- Spreadsheet of transactions (i.e, adjustment of \$79.99)

Bills are attached.

Sondra Bond.pdf (((see paper files)))

Activity 04/15/2004 01:33 PM Email: Roger Kouchi >> don taylor

I was unable to open the February 2004 bill attachment. Please resend the February 2004 bill copy.

Activity 04/15/2004 03:47 PM Email: Roger Kouchi >> don taylor

File was damaged. Could not open. Please fax the February bill to me,.

Activity 04/15/2004 04:20 PM Email: Roger Kouchi << DON TAYLOR

Faxed the bill at 4:15 pm

NOTE: Received the Feb bill (((see paper files)))

Activity 04/20/2004 02:13 PM Email: Roger Kouchi >> don taylor

I am a little confused. You indicated (in your 4/14/04 email to me) that the balance owing is \$37.82. The March 04 bill shows a total owing of \$249.49. Please confirm that the consumer only owes \$37.82. Did consumer make any payments? If the March 2004 bill shows a balance owing of \$249.49, why are you saying that the balance owing at this time is \$37.82? Thank you.

Activity 04/20/2004 02:29 PM Email: Roger Kouchi << DON TAYLOR

I'm not seeing \$249.99 on the March bill for this customer. I see \$117.81 as the amount due. Tel West is

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waiving the \$79.99 fee, leaving a new balance owed of \$37.82. Are we looking at the same bill?  
Customer name is Larry Bond, 360-344-3182, March 21, 2004 bill date.

Activity 04/20/2004 02:50 PM Email: Roger Kouchi >> don taylor  
Don - Thanks. Looks like the March bill that you gave me was for a Robert Amp  
and Mae Haenke (360-266-1917). I didn't even look at the name on the bill. Can you fax me the March  
bill for Larry Bond? ... or is the February 2004 bill the final bill? Thanks.

Activity 04/20/2004 02:55 PM Email: Roger Kouchi << DON TAYLOR  
Those bills were for Tani Thurston regarding another complaint, which I faxed at about the same time I  
faxed the February bill for Larry Bond. I thought you were able to open the March bill for Larry Bond  
and it was only the February bill you needed faxed. Do you need the March bill faxed?

Activity 04/20/2004 03:01 PM Email: Roger Kouchi >> don taylor  
Sorry about that. I was confused. Got everything I need. I will get back to you to close.

Activity 04/20/2004 03:03 PM Email: Roger Kouchi >> consumer  
The company agreed to credit the \$79.99. The balance owing is \$37.82. Please let me know if you have  
questions. Thank you.

Activity 04/21/2004 10:18 PM Email: Roger Kouchi << bonds  
This is a Return Receipt for the mail that you sent to bonds@olympen.com.

Activity 05/03/2004 04:18 PM Action: Roger Kouchi  
No response from the consumer. Complaint closed.

Activity 05/03/2004 04:19 PM Email: Roger Kouchi >> don taylor  
Complaint closed.

Activity 05/07/2004 04:47 PM Email: Roger Kouchi >> don taylor  
Don Taylor - Requested response from Tel West. I listed to the TPV on 3/12/04. I did NOT hear the  
consumer authorized Tel West to place a local line freeze on the account. Made 2 followup requests on  
3/19/04 and 3/26/04. Company did not respond until 3/26/04. Recorded violation of WAC 480-120-166:  
(8) Unless another time is specified in this rule or unless commission staff specifies a later date, the  
company must provide complete responses to requests from commission staff for additional information  
on pending informal complaints within three business days. Complaint has been closed.

**Complaint #87843**

Norma Staley  
2707 Howard Avenue  
Centralia WA, 98531

Tel West Communications, LLC

Tel West slammed her. Did not agree to accept Tel West. Simply agreed to have company send her some information.

- Wants company to remove local PIC freeze so she can go back to Qwest. It has been almost 2 weeks that she requested Tel West to remove the local PIC freeze.
- Does not want to pay the \$74.

Activity 02/20/2004 01:29 PM Email: Roger Kouchi >> Mat Meyers  
Tel West - Please respond to this complaint. Thank you.

Activity 02/20/2004 03:16 PM Email: Roger Kouchi << Marilyn Spence  
Steve Oxnevad will handle this

Activity 02/24/2004 05:23 PM Email: Roger Kouchi << Steve Oxnevad  
Norma Staley had prior Qwest residential service billed under account *Identifying information withheld at customer's request*. Originally established 3/1/69 credit class A no deposit. Records show CLEC TelWest submitted PON to Qwest on 1/21/04, to discontinue and resell the service as of 1/24/04. Order completed and Qwest account went final. Norma contacted Qwest the same day, 1/24, to request a winback. A pending order N41516927 was submitted with a valid TPV. However, we are waiting for TelWest to remove the local service/PIC freeze on the end user's account, prior to releasing the winback order. I'm following up with our winback manager later this week, and will advise you of any update.

Activity 02/25/2004 03:09 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Are you working on this one??

Activity 03/01/2004 01:42 PM Email: Roger Kouchi >> tel west  
Mat or Chris - Recorded violation of WAC 480-120-166(7). Company failed to provide initial response within the required 5 business days. - Passed complaint on 2/20/04.  
- 3/1/04 still no response. Please provide the required initial response. Thank you. The company must report the results of its investigation of nonservice-affecting informal complaints to commission staff within five business days from the date commission staff passes the complaint to the company [WAC 480-120-166(7)]. Nonservice-affecting complaints include, but are not limited to, billing disputes and rate quotes.

Activity 03/01/2004 06:44 PM Email: Roger Kouchi << Chris Sturgul  
1. Customer agreed to have service converted to Tel West on 01/15/04.  
2. No notes on account indicated that the customer requested to have the freeze removed.  
3. There activation fees are only waived if a customer cancels within the first 30 days of service or if the customer stays with Tel West for more than 1 year. I will take this complaint as a request to have the freeze removed. I've had an order placed to remove the freeze, R52464245, due date 03/01/04.

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Activity 03/04/2004 02:38 PM Email: Roger Kouchi >> steve oxnevad  
Steve - Tel West informed me that the local PIC freeze has been removed. Please let me know when this consumer has Qwest service. Thank you.

Activity 03/05/2004 01:35 PM Email: Roger Kouchi << Steve Oxnevad  
Roger--an update--we did receive confirmation that the local PIC freeze was removed and have released the customer's Qwest winback, DD 3/8/04. I will follow up next week to ensure that the order completes and posts as a new Qwest account.

Activity 03/09/2004 12:54 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Consumer wants confirmation that there is a zero balance owing and that Tel West has provided an adjustment of the \$74 installation charge. Thank you.

Activity 03/09/2004 12:55 PM Email: Roger Kouchi >> steve oxnevad  
Steve - Did the Qwest service get activated yesterday? How is the consumer notified? Thanks.

Activity 03/09/2004 04:21 PM Email: Roger Kouchi << Steve Oxnevad  
yes, the Qwest winback order did complete yesterday, and a new account was established. This should be okay to close. Let me know.

Activity 03/09/2004 04:37 PM Phone: Roger Kouchi >> consumer  
Informed consumer that she is with Qwest. Gave her the long distance PIC verification numbers to verify her PIC.

Activity 03/12/2004 10:41 AM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Please get back to me regarding this complaint. Thank you.

Activity 03/19/2004 02:00 PM Email: Roger Kouchi >> chris sturgul  
Chris Sturgul - Please get back to me regarding this complaint. Thank you.

Activity 03/19/2004 06:43 PM Email: Roger Kouchi << Chris Sturgul  
1- The customers freeze was lifted on 03/01/04.  
2- The customer migrated on 03/08/04 with D53544583.  
3- There will be charges for service provided from 03/01/04 - 03/08/04  
4- I will credit the 79.99 install charge, even though there are no notes indicating that she requested to have it removed.

Activity 03/29/2004 12:08 PM Phone: Roger Kouchi >> consumer  
satisfied. Paid first bill. Will wait to see if she gets another bill. Doesn't think she should be required to pay any more.

Activity 03/29/2004 12:09 PM Email: Roger Kouchi >> chris sturgul  
Complaint closed.

**Complaint #88011**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer prepaid for phone service that began March 1. Ms is dissatisfied with the service, is placing an order with another company to port away from Tel West and believes Tel West should refund her money. Tel West said it is not "allowed" to as it is a prepaid company and referred Ms to the UTC. Ms was dissatisfied with the service because:

1) Long distance was not operational 3/1/04 - Ms was assured there would be no interruptions of service caused by the port from Qwest.

2) No long distance on 3/2/04 - Ms was told the switch was down.

3) Today, Ms discovered the 3-way calling feature was misrepresented to her. Ms was told she would be able to place long distance calls using that feature. Only one call of the two can be placed to a long distance number. Ms' business requires both calls on the 3-way feature be long distance.

>Was customer told UTC prohibits prepaid company's from refunding dissatisfied customer's their money? And if so, under what rule is that prohibited?

>Is Tel West willing to refund this customer her money as she is dissatisfied and porting away from Tel West?

12:25)passed to Chris Sturgel, cc Don Taylor @ Tel West via email.

Activity 03/11/2004 11:53 AM Email: Sheri Hoyt >> Chris Sturgel, cc Don Taylor

The complaint, below, was passed to Tel West on 3/3/2004. Your response was due yesterday, 3/10/2004. I have not received it. I have cited one violation of 480-120-166(7) for the late response. I will allege one violation each day until Tel West's response is received.

Activity 03/16/2004 12:39 PM Email: Sheri Hoyt << Chris Sturgul

1. The customer was not told by TWC that the WUTC prohibits a refund.

2. Tel West offers credit to customers requesting a disconnection or migration away from TWC prior to completion of the minimum one-month service period as provided for in the TWC price list.

Activity 03/16/2004 01:43 PM Email: Sheri Hoyt >> Chris Sturgel

Is this Tel West's complete response to this complaint?

Activity 03/17/2004 12:37 PM Voice Mail: Sheri Hoyt >> Ms

Called Ms, left message to return my call. I provided my toll-free number and hours of availability.

Activity 03/18/2004 01:51 PM Phone: Sheri Hoyt << Ms

Ms returned my call. I told her that Tel West's response was rather cryptic, that it denied telling her WUTC prohibited a refund on prepaid services and that it inferred with its response that she would receive her money back. Ms told me that she believes she will be back with Qwest today. There was a delay in porting to Qwest because Tel West had a LEC freeze on her line. I asked Ms if she authorized the LEC freeze. She said no. I told Ms that I would go back to the company and request a copy of the verification recording. The company must have permission to place the freeze on her service. I told Ms I would get back to her. She thanked me and said she would let me know when she's back with Qwest. It should be soon - and within 30 days of beginning service with Tel West.

Activity 03/18/2004 02:06 PM Email: Sheri Hoyt >> Chris Sturgel, cc Don Taylor

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I spoke with the customer today. She expects her winback to Qwest to go through in the next day or two. I will assume then, from your earlier response, that she will be eligible for a refund of her prepaid monies since she will have switched away within 30 days of service being initiated. However, during our conversation she mentioned that she had to call Tel West to have a LEC freeze lifted before Qwest was able to take back her service. She says she never authorized that freeze. I will need Tel West to provide me a copy of the verification recording made when this customer authorized services be switched to Tel West. If you have any questions, please feel free to contact me.

Activity 03/24/2004 12:21 PM Email: Sheri Hoyt >> Chris Sturgul, cc Don Taylor

I have not received a response from you to my March 18, email. The customer is alleging she did not request the LEC freeze that was placed on her service. Have you sent me the verification recording I requested? Please be aware your response to the request for information is due within 3 business days. If I do not receive your response, I will allege daily violations of the rule (WAC 480-120-166(8)) until such time as I have received your response.

Activity 03/26/2004 06:09 PM Email: Sheri Hoyt << Chris Sturgul  
TWC does not have a TPV file on this account for pre paid service.

Activity 03/29/2004 10:50 AM Email: Sheri Hoyt >> Chris Sturgul

I'm not sure I understand your response. Are you saying Tel West does not have a TPV recording of this customer authorizing a LEC freeze? Or are you saying that there was no LEC freeze? Your response to this request for clarifying information is due by 5:00 p.m., April 1, in accordance with WAC 480-120-166(8).

Activity 03/29/2004 02:36 PM Email: Sheri Hoyt << Chris Sturgul  
Tel west does not have a TPV file for this customer.

Activity 03/29/2004 02:52 PM Email: Sheri Hoyt >> Chris Sturgul

Thank you for your quick response. I will be citing a violation for the unauthorized LEC freeze - WAC 480-120-147(5). Your initial response stated a credit is offered to customers that leave prior to completing one month of service. What credit will this customer see? Your response to this request for clarifying information is due by 5:00p.m., April 1, in accordance with WAC 480-120-166(8).

Activity 03/30/2004 05:53 PM Email: Sheri Hoyt << Chris Sturgul

The credit I referred to is a credit for future service. If a customer is with us for less than 30 days they are not entitled to a cash refund.

Activity 04/02/2004 09:13 AM Email: Sheri Hoyt >> Chris Sturgul

Customer said, when she filed the complaint, that she's paid for services and feels she should receive a refund as the service did not work as she was told it would. Are you saying that the customer is not entitled to a refund of monies paid, just a waive of the \$79.99 install fee? I don't understand what you mean by "credit for future service". Can you clarify, please?

Activity 04/08/2004 10:28 AM Email: Sheri Hoyt >> Chris Sturgul, cc Mat Myers, Don Taylor

Tel West's response to this request for additional information was due by 5:00pm, April 7. I have not received that response. I have alleged 1 violation of WAC 480-120-166(8). I will be alleging one violation per day until such time as I have received a response to my request for clarification.

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Activity 04/12/2004 07:32 PM Email: Sheri Hoyt << Chris Sturgul  
Credit for future service means that if the customer wanted service with TWC again the credit would be applied to the new account. She does not receive a cash refund as provided for in the TWC price list.

Activity 04/21/2004 08:57 AM Action: Sheri Hoyt  
I checked Tel West's price list. Original Page No. 12, Section 3.6 states, "If cancellation is requested by the customer after service has been completely installed, it will be treated as a discontinuance of service. The Minimum Service Period as described in Section 3.10 below applies, and the Company may retain the full amount of any monthly and nonrecurring charges paid by the customer." Original Page No. 12, Section 3.10 states, "Minimum Service Period. The minimum service period for all services provided in this Price List is one month.

Activity 04/21/2004 12:36 PM Phone: Sheri Hoyt >> Ms  
Called Ms, the phone rang, a recording came on regarding privacy feature, I entered in the toll-free number I was calling from. The phone made tones like someone dialing, then a very loud, piercing sound was emitted. I hung up.

Activity 04/21/2004 12:41 PM Letter: Sheri Hoyt >> Ms

Sent postcard, SEE HARD FILE:

FILE No.: 88011

April 21, 2004

*Identifying information withheld at customer's request*

Dear Ms. *Identifying information withheld at customer's request*:

The purpose of this communication is to update you on the status of my informal complaint investigation regarding Tel West Communications, LLC. I was unable to reach you by phone. Please contact me so that we may discuss the outcome of my investigation. I can be reached toll-free at 1-800-562-6150, Monday through Friday, 8:00 a.m. to 4:30 p.m.

Sincerely,

Sheri Hoyt

Consumer Affairs Section

Activity 04/21/2004 01:18 PM Email: Sheri Hoyt >> Don Taylor/Tel West

This complaint is closed.

Activity 04/23/2004 04:27 PM Voice Mail: Sheri Hoyt << Ms

Ms left message to return her call. Early a.m. is best to reach her.

Activity 04/26/2004 09:18 AM Phone: Sheri Hoyt >> Ms

Called Ms, I provided her the results of my investigation. Ms was disappointed that she won't receive a refund but she understands that I cannot force the company to refund her money when its price list states it does not give refunds for service under 1 month. Ms thanked me for my help and I told her I was closing the complaint.

Activity 04/26/2004 11:39 AM Email: Sheri Hoyt >> Don Taylor/Tel West

In my review of this complaint with the customer this morning, it occurred to me I failed to notify Tel West of a violation for it not having a TPV recording for the switch of this customer's service. On March 26, 2004, Chris Sturgel informed me Tel West didn't have a TPV in response to my request for a copy of the TPV. I cited a violation for the unauthorized LEC freeze (which was the reason I requested the TPV

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recording), however, I overlooked notifying Chris that there was a violation of WAC 480-120-147(1) for Tel West's failure to verify the request for service in a proper manner. I will be citing one violation of the rule. This complaint is closed.

**Complaint #88017**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer states her local phone service was switched away from Qwest several months ago without her authorization. Ms believes she is back with Qwest, however, she's going to call Qwest today to confirm it. Ms is disputing all charges owed to Tel West. Ms has a bill for \$156.00. She received a call today from someone at Tel West who said her phone service is to be disconnected.

>Please provide a complete bill/account history for this customer.

>Please provide TPV or LOA for the switch.

3:18)passed to Chris Sturgel, cc Don Taylor @ Tel West via email. Please hold disconnection while this complaint is being investigated. Please respond in compliance with WAC 480-120-166(6).

Activity 03/04/2004 06:56 PM Email: Sheri Hoyt << Chris Sturgul

Here is the transaction history. I have placed an order for the TVP file to be reformatted to .wav and will forward the file as soon as I get it.

Transaction Date	Invoice #	Type	Description	Charge	Payment/Credit
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Balance

2/10/04	5:21 PM	155420	Invoice	\$42.01	\$0.00 \$156.04
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2/9/04	12:00 AM	155420	Adjustment	21040210	Late Charges \$10.00 \$0.00
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1/10/04	12:00 AM	147567	Invoice	\$36.31	\$0.00 \$104.03
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12/30/03	12:16 PM	22459	Invoice	\$36.21	\$0.00 \$67.72
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11/20/03	12:00 AM	21730	Invoice	\$31.51	\$0.00 \$31.51
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Just so that you know I've reviewed the notes on this account, this account was sent for collections treatment after several conversations with the customer. The customer stated that she would not pay her bill because at 89 years old she doesn't care if her credit is ruined. Later note customer states that she has never spoken to us. Several conversations are noted that the customer will not pay TWC and that she does not have our service. I've also listened to the VCE file from TPV and the customer did agree to have TWC provide her local, LD and international telephone service.

Activity 03/05/2004 08:28 AM Email: Sheri Hoyt >> Chris Sturgul

When I spoke with the customer she appeared to be confused as to whether she's ever spoke with Tel West. She thought she was contacted at about 9:30 pm one night by a woman representating Tel West. She was asleep when the call came and she thinks she told the person she wasn't interested. But let's keep in mind the customer is 89 years old. As soon as I have the TPV I'll be able to move forward on this complaint.

Activity 03/05/2004 01:06 PM Email: Sheri Hoyt << Chris Sturgul

I'll send the TVP as soon as I get it. It seems to take them a couple of days to get us .wav file. I'm working with them to just record .wav instead of the .vce files. The Telemarketing group that we use is located in Iowa and they close at 7pm central time so they could not call her after 5 pm PST.

Activity 03/05/2004 07:49 PM Voice Mail: Sheri Hoyt << Ms

Ms left message that her TV has been disconnected.

Activity 03/06/2004 08:07 AM Voice Mail: Sheri Hoyt << Ms

Ms left message that she was calling regarding a cable cutting at 6 am the day before. She stated she

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heard a metallic sound, she looked outside and it was dark.

Activity 03/08/2004 09:44 AM Email: Sheri Hoyt << Roger Kouchi

Note: This response was provided by Qwest to Roger Kouchi. He opened complaint 88035 for customer the day after I opened this one, 88017. Roger deleted his complaint.

Sara Adams - I understand that Sheri is working this issue. I have forwarded your response to her. Thanks.

Roger Kouchi

"Sara Adams" <ssmiley@qwest.com>

03/08/2004 09:41 AM

To rkouchi@wutc.wa.gov, "Wautc Commission" <wautccomm@notes.uswc.uswest.com>

Subject WA - 911 - UTC complaint 88035 for Virginia Windust

"Qwest Corporation Confidential Information - For Release Only to the Directly Affected Customer  
Customer Telephone Number 206-362-7129

Summary of customer complaint: Tel-West has placed a disconnect order

Comments/Research/Solution: Qwest is unable to stop or place a hold on other providers' orders.

However, it does appear that the order has been canceled and a new Winback order was placed. The Winback is scheduled to complete today (03-08-04).

Winback Order N53465899

Please let me know if you have any additional questions. Thanks!

Activity 03/08/2004 11:56 AM Email: Sheri Hoyt >> Sara Adams/Qwest

Turns out this consumer filed two complaints. One with me and one with Roger the following day.

Roger has deleted his complaint - 88035, and I'll be working this under 88017. Although Roger requested this information, not me, I'm glad to have it. I don't believe I need further information from Qwest so you may close this inquiry. Thanks so much.

Activity 03/08/2004 12:08 PM Phone: Sheri Hoyt >> Ms

Called Ms. I explained that she opened two complaints, one with me and one with Roger. I told Ms that I will be responding to her on her Tel West complaint. I referred Ms to the City/County/FCC regarding her cable television problem.

Activity 03/10/2004 11:15 AM Email: Sheri Hoyt << Chris Sturgul

I have the .wav file but I've tried to send it out a coupler of times and it won't go. I think it may be too big. Is there another method that I can get this to you?

Activity 03/10/2004 11:15 AM Email: Sheri Hoyt << Chris Sturgul

here is the .wav file. I tried to send it before but it bounced back. I've zipped it so it should go through.

Activity 03/10/2004 11:40 AM Action: Sheri Hoyt

I listened to the verification recording. The verifier states her name and that she's with Capitol Verification. The verifier states she's there to verify the customer's switching her local and long distance service to Tel West. The date of the recording was 10-21-03. The verifier asked Ms to confirm the number to be affected is *Identifying information withheld at customer's request*. Ms says "right, yes". The verifier asked Ms if she is over the age of 18 and authorized to make changes to the phone service. Ms says "yes, I'm 88 years old, I think so". The verifier asked Ms if she is authorizing Tel West to provide her local telephone service. Ms says "yes". The verifier asked Ms if she is authorizing Tel West to provide her in-state long distance which includes her intralata service. Ms says "yes". The verifier asked Ms if she is

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authorizing Tel West to provide her state to state long distance which includes her interlata service. Ms says "yes". The verifier asked Ms if she is authorizing Tel West to provide her international calling. Ms says "I hardly ever use it" The verifier clarifies that should she use the service, she is authorizing Tel West to provide the service. Ms says "alright, yes". The verifier asked if Ms understands that Tel West is a separate company from Qwest and is not affiliated with Qwest. Ms says "yes". The verifier then states Ms has selected the basic plan which includes unlimited local calling and Caller ID and 15 (could have been 50) minutes of free long distance calling per month. If Ms should go over her allotment of free minutes, all long distance calls after will be billed at \$0.05/minute. The verifier stated the price of the plan is \$19.99 plus applicable taxes and surcharge fees. The verifier asked Ms for her date of birth. Ms replies " *Identifying information withheld at customer's request* ", there is a significant pause, then Ms says " *Identifying information withheld at customer's request* ". The verifier repeats " *Identifying information withheld at customer's request* ". Ms says "yes". The verifier then asked Ms if her name is on the local phone bill. Ms said "what?". The verifier repeats her question and Ms says "yes". The verifier then asked Ms to provide her address. Ms says *Identifying information withheld at customer's request*.

Activity 03/12/2004 09:50 AM Email: Sheri Hoyt >> Chris Sturgul, cc Don Taylor

I listened to the TPV recording. I find that Tel West did have proper authorization for the switch. However, keeping in mind that this customer is 89 years old and seems to be somewhat confused about what happened, is Tel West willing to offer any sort of adjustment on the balance owing? Or at the very least, is Tel West willing to waive the \$79.00 installation fee that she will be charged since she ported to Qwest after the 30 days and before 12 months?

Activity 03/13/2004 04:16 PM Voice Mail: Sheri Hoyt << Ms

Ms left voicemail message on the Consumer Affairs line that she now owes \$250.00.

Activity 03/18/2004 09:35 AM Email: Sheri Hoyt >> Chris Sturgul/Don Taylor

I haven't received a response from you to my March 12 email. Your response was due yesterday, March 17. Please respond by close of business today to avoid violations for a late response (WAC 480-120-166(8)). The customer has left me a message that she's received a bill from Tel West and her total due is now \$250.00. What is Tel West willing to do to satisfy this customer?

Activity 03/24/2004 12:13 PM Email: Sheri Hoyt >> Chris Sturgul, cc Don Taylor

Please be aware I have alleged 4 violations of WAC 480-120-166(8) for your failure to respond in accordance to the rules to my March 12, request for additional information. One violation per day will be alleged until such time as I have received your response. When will Tel West be responding to my March 12, request for additional information?

Activity 03/25/2004 12:11 PM Email: Sheri Hoyt << Chris Sturgul

I have reviewed the account with the collections department and they are willing to waive the \$79.99 fee.

Activity 03/26/2004 09:59 AM Email: Sheri Hoyt >> Chris Sturgul, cc Don Taylor

Customer left a voicemail message stating she has received a Tel West bill with a balance owing of \$250.00. Is the \$79.99 fee included in that? And if so, what is the amount the customer owes minus that fee? Please note, the response to this request for additional information is due by 5pm on 3/31. If I do not receive a response from you by that time, I will allege daily violations of WAC 480-120-166(8) until such time as I have received your response. Also, please know that the quicker you get me a response, the quicker we can get this complaint closed. This is the final information I need from you -- unless customer raises further issues when I call to give her the outcome of my investigation.

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Activity 03/26/2004 06:09 PM Email: Sheri Hoyt << Chris Sturgul  
The amount owed less the installation fee is \$170.84.

Activity 03/29/2004 10:08 AM Phone: Sheri Hoyt >> Ms  
Called Ms, I provided her the outcome of my investigation. Ms does not believe she gave authorization for the switch. I told Ms I could send her a copy of the recording. However, Ms has nothing to play it on - she has only a TV. I asked Ms if someone could play a cd or audio tape for her. She said no. I then read Ms the notes from my review of the recording. Ms acknowledges it's her date of birth, she maintains she didn't give authorization for the switch. I gave Ms the final amount due, and told her the company waived the \$79.99 install fee. Ms thanked me for that. Ms lives on a very limited incoming, social security only. She said she has no way of paying that bill. I told Ms I am not telling her what to do, only what the final amount is. Whether she pays the bill or not is up to her. Ms says she has no way to pay the bill and is not worried about the company placing it with collections. I told Ms I was closing the complaint. She thanked me for my help.

Activity 03/29/2004 10:38 AM Email: Sheri Hoyt >> Chris Sturgul  
I spoke with Ms. I provided her the outcome of my investigation - Tel West had proper authorization for the switch. Unfortunately, she just doesn't believe she gave permission. I've offered to send her a copy of the recording, however, she has no means by which to play an audio tape or cd. I read her my notes of the verification and she acknowledges the birth date is correct. It's my findings that it was her voice on the recording. This is a disabled 89 year old woman that is very confused and doesn't recall things that have happened. She filed this complaint with me and the very next day filed the same complaint with Roger Kouchi. She had no memory of speaking with me the day before. Although she is grateful Tel West waived the \$79.99 install fee, she is simply unable to pay such a large bill. Ms is on a social security income only and has virtually no money to live on each month once the bills are paid. Tel West can send the bill to a collection agency, however, as she's so elderly there's really no chance that the funds will ever be collected. Social Security can't be attached so I'm afraid it's unlikely Tel West will receive payment for services provided. For your information, I cited the following violations in this investigation: 4 - 480-120-166(9). You may close this complaint.

Activity 03/31/2004 02:30 PM Phone: Sheri Hoyt << Ms  
Ms called to report that Tel West cut the phone line under her home. I told Ms that Tel West does not have field staff and would have no reason to cut her phone line. I told Ms she's been back with Qwest since March 8. I asked if she had called Qwest to report the problem. She said no. I provided her Qwest's toll-free number and advised her to place a repair report. I informed Ms that she likely would be charged for Qwest repairing the line if it was indeed under her home. I attempted to explain to Ms that Qwest's responsibility is to the SNI box on the outside of her home. I explained to Ms that Qwest may charge her to repair the cut line. Ms said she'll just have to pay it.

Activity 03/31/2004 02:45 PM Phone: Sheri Hoyt >> Sara Adams/Qwest  
Called Sara, I asked her if she could find out if customer placed a repair report. She looked up the customer's account and said that Tel West disconnected the service. I said I thought she was back with Qwest as of 3/8/04. Sara said there is a note on the account that she didn't want a winback. Sara said the winback was canceled. Sara said she believes she can put the order through and have the dial-tone back up in a matter of minutes. Sara will call me back.

Activity 03/31/2004 02:59 PM Phone: Sheri Hoyt << Sara Adams/Qwest

Sara called, she asked if I knew who Ms wanted for a long distance company. I asked who she had before, that Ms wanted service returned to what she had. Sara reinstated Sprint as her long distance company. I told Sara I would call Ms myself and discuss the situation with her and make sure she gets a Sprint account. I thanked Sara for her help.

Activity 03/31/2004 03:15 PM Phone: Sheri Hoyt >> Ms  
Called Ms, RNA.

Activity 03/31/2004 03:26 PM Phone: Sheri Hoyt >> Ms  
Called Ms, RNA.

Activity 03/31/2004 03:47 PM Phone: Sheri Hoyt >> Ms  
Called Ms, I explained what happened with the service. Ms does not understand. I asked Ms if she wanted Sprint LD back as her preferred carrier. She said yes. I told Ms I would get a phone number for Sprint and call her back and assist her in getting the account set up. Ms told me the service people are due out by 5pm today. I told Ms the service was not broken, she merely had no phone company. I told Ms I would call Qwest and cancel the repair order as there was nothing wrong with her service. Ms said okay.

Activity 03/31/2004 03:55 PM Phone: Sheri Hoyt >> Sara Adams/Qwest  
Called Sara, asked if she could cancel the repair order for Ms. She said she would look and cancel if she finds one.

Activity 03/31/2004 04:02 PM Email: Sheri Hoyt << Sara Adams  
Qwest did not take a repair report for this customer, so no tech is scheduled to go out. I'm hoping she didn't call some other company???

Activity 03/31/2004 04:05 PM Phone: Sheri Hoyt >> Ms  
Called Ms, while she was on the line, I called Sprint LD. I spoke with representative Alison and explained that Ms was on the line and told him who I was. I told Alison Ms needed to reestablish her account with Sprint as she had been taken off when she didn't want to be. Alison confirmed with Ms her name, address and phone number and told her he would reestablish her previous calling plan. Ms said that's what she wanted. I dropped off the line prior to the verification process after telling Ms I could not go through the verification process with her. Ms thanked me for my help and I told her it sounded like Alison would take good care of her.

Activity 03/31/2004 04:10 PM Email: Sheri Hoyt >> Sara Adams/Qwest  
Oh, man....I can't imagine. I just got her connected with Sprint LD. A rep there is taking her through the steps to reestablish her calling plan with it. Thanks for everything you've done. I'm just going to leave it as it is. Maybe she didn't call anyone....

Activity 04/30/2004 10:37 AM Email: Sheri Hoyt << DON TAYLOR/Tel West  
I am reviewing my complaint records and I'm not sure I have the complete file or closure on this one. What do your records show? Thanks.

Activity 04/30/2004 11:25 AM Email: Sheri Hoyt >> Don Taylor/Tel West  
I show that I closed with Chris Sturgel on 3/29/04. Would you like me to forward you the entire record?

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Activity 04/30/2004 11:27 AM Email: Sheri Hoyt << DON TAYLOR  
Yes, thank you.

Activity 04/30/2004 11:28 AM Email: Sheri Hoyt >> Don Taylor  
Per your request....((forwarded entire complaint record))

**Complaint #88112**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer called to cancel service at the end of January, 2004. When customer was not transferred to another carrier she called again and was told a freeze had been placed on the account and would be removed. Several calls later the freeze had not been removed and customer was told that there was no record of her previous calls.

\*Remove freeze immediately for migration. Verify date removed.

\*Verify authorization to place freeze on account.

\*Credit charges back to customer original request for disconnect.

\*Provide billing history.

\*Provide copy of TPV

passed to telwest via email 3/9 @ 9:20am

Activity 03/19/2004 06:25 AM Email: Gail Griffin-Wallace >> tel west

The response to this complaint is now past due. A violation of WAC 480-120-166 has been recorded. I will continue to record violations each day until you response is received.

Activity 03/19/2004 07:22 AM Voice Mail: Gail Griffin-Wallace << cust

Customer called 3/18 @2:10pm - left voicemail message. Customer said freeze has been removed and Qwest service is scheduled to start 3/22/04. Customer said that she is being threatened by TelWest for payment of fees.

Activity 03/19/2004 06:15 PM Email: Gail Griffin-Wallace << Chris Sturgul

Here is the info requested.

\*Remove freeze immediately for migration. Verify date removed.

PON# 031104AG34, LSR# 9884219, DD 03/11/04.

\*Verify authorization to place freeze on account.

See TPV

\*Credit charges back to customer original request for disconnect.

Original request to cancel service was 03/08/2004 at 6:46 PM No Previous notes exist for this customer

\*Provide billing history.

See PDF

\*Provide copy of TPV

Have requested for a .wav file of TVP recording, will forward as soon as it comes in.

\*\*SEE HARD FILE FOR BILLING COPIES 1/1 THRU 3/1/04\*\*

- 8033\_2e50eb6a-a144-4048-96e2-06f00a7a6837.pdf - 8033\_6d6504dd-bad0-4db1-a74c-7fd9ec074393.pdf - 8033\_b9891fc6-34ba-4961-afcd-9e2a3a8f9d77.pdf

Activity 03/22/2004 02:12 PM Email: Gail Griffin-Wallace >> cust

called customer - asked if customer obtained names when she first contacted TelWest to cancel service. She did not. However, customer did say that Qwest was rejected on their first attempt due to the pic freeze. I advised Ms. that I would try and establish a time line through Qwest.

Activity 03/22/2004 02:26 PM Email: Gail Griffin-Wallace >> qwest

Qwest - the complaint is against TelWest. Customer by now has migrated to Qwest and I am trying to

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establish a time line. Can Qwest provide records and dates showing attempts to migrate customer away from TelWest? Thanks

Activity 03/22/2004 02:33 PM Email: Gail Griffin-Wallace << Kathy H Perry  
Steve will be processing this complaint

Activity 03/24/2004 05:04 PM Email: Gail Griffin-Wallace << Steve Oxnevad  
Gail--miscellaneous complaint/inquiry response--  
*Identifying information withheld at customer's request* had prior Qwest residential service under account number *Identifying information withheld at customer's request*. Records show that we received a PON from CLEC Worldcom MCI Metro on 11/6/03, to discontinue and resell the service as of 11/11/03. Order completed and Qwest account went final. Apparently, around 12/29/03, the end user migrated from Worldcom MCI Metro to CLEC TelWest. Notes indicate that Ms Moore initially contacted Qwest on 2/19/04, to begin the winback process. We submitted our request to TelWest but the winback order could not be released until the local service freeze had been removed from the CLEC end user account. That supposedly occurred by 3/17/04 and the winback order released with a 3/22/04 DD. The order shows completed and we're waiting on the new Qwest account to post. Let me know what other info you might need on this.

Activity 04/12/2004 05:13 PM Email: Gail Griffin-Wallace << DON TAYLOR  
Here is the TPV file you requested from Chris Sturgul for this customer. This is a WAV file in ZIP format.

\*\*\*\*\*WAV. FILE ATTACHED\*\*\*\*\*

Observations:

- \*Name confirmed as *Identifying information withheld at customer's request*
- \*Verifier was Kathy w/ Capitol Verifications
- \*date: 12/9/03
- \*Number confirmed as *Identifying information withheld at customer's request*
- \*Customer confirmed she was over 18 and authorized to make changes
- \*Customer said yes to each of the following questions:  
authorize local  
authorize instate local toll  
authorize long distance  
authorize international
- \*Customer asked a clarifying questions about intra & inter lata meaning. - verifier explained
- \*Statement was made that Telwest is not connected with Qwest - customer indicated she understood
- \*Verifier explained customer chosen plan (Value Plan) and cost
- \*Verifier then made statement 'for your protection a service freeze has been added..' - statement did not require a response on the customer's part
- \*Unique identifier provided as 10/27/16

Activity 04/16/2004 11:22 AM Email: Gail Griffin-Wallace >> Don Taylor  
In a previous response TelWest indicated that it had no contact with the customer prior to 3/8/04. Qwest records show it first attempted to port the customer 2/19/03. A violation is being recorded for the unauthorized placing of a service freeze on the account. In addition, TelWest continues to bill after the

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customer has ported out. In the interest of good customer relations, will TelWest consider adjusting this customer's account in full?

Activity 04/16/2004 11:29 AM Email: Gail Griffin-Wallace >> cust  
called customer - provided update. customer is sending copy of most recent bill

Activity 04/19/2004 09:37 PM Email: Gail Griffin-Wallace << DON TAYLOR  
There appears to be some confusion regarding this account, so I will try to summarize, clarify, and present Tel West's offer to resolve the complaint. The customer agreed to transfer service to Tel West on 12/9/03. The next contact with Tel West by the customer was on 3/8/04 when they called to complain that service had not been transferred as requested. Apparently the request for transfer had been made to Qwest at some time unknown to Tel West, but Tel West was not asked to lift the freeze until 3/8/04. The freeze lift order was issued by Tel West on 3/8/04 and completed by Qwest on 3/11/04. According to Qwest, the account was recorded as a "win back" for them on 3/22/04. To clarify one point, Tel West has not continued to bill after the customer's service was transferred. The bills generated and sent to the customer reflect charges for service provided prior to transfer of service. The final bill will be generated by Tel West on 4/25/04 and mailed to the customer on 5/1/04. Tel West has attempted on two occasions to settle this account with the customer (3/10/04 and 3/18/04), without success. Tel West is offering to waive all connection and late fees, leaving an outstanding balance of \$153.28. Tel West is offering to split this amount with the customer, leaving a balance due of \$76.64. This customer did request service from Tel West, which was provided, and Tel West should receive some compensation for the expenses incurred in providing the service requested and received by the customer. Please advise whether this offer by Tel West will resolve the complaint.

Activity 04/20/2004 03:54 PM Phone: Gail Griffin-Wallace >> cust  
called cust - lmtc

Activity 04/22/2004 08:19 AM Phone: Gail Griffin-Wallace << cust  
Customer returned call - Advised customer of the settlement proposal and customer accepted. Customer will remit a check for \$76.64.

Activity 04/22/2004 08:21 AM Email: Gail Griffin-Wallace >> Don Taylor  
The customers representative (her daughter) will accept the terms of the settlement. She will be remitting a check for \$76.64 immediately to resolve this issue. I have closed the complaint. Please contact me with any questions.

Activity 05/10/2004 01:01 PM Phone: Gail Griffin-Wallace >> cust  
Customer called and indicated that after paying the balance due per TelWest, she received another bill with a balance owing of \$23.17. Customer is faxing copies

Activity 05/10/2004 01:56 PM Email: Gail Griffin-Wallace >> telWest  
Customer called to say that after closing our complaint, customer made immediate payment at the amount TelWest advised was the balance (\$76.64). Customer just received another bill indicating a balance due of \$23.17. Adjust these charges immediately and verify the customer will not receive additional billings.

Activity 05/10/2004 02:13 PM Email: Gail Griffin-Wallace << Consumer Affairs  
Please advise the customer to disregard the bill she received. It was probably already in process and

could not be recalled. I will follow up with Billing to make sure the account is closed with no balance due. Kerry - Please ensure this account is closed with nothing owed by the customer.

Activity 05/10/2004 02:23 PM Email: Gail Griffin-Wallace >> caffairs

Just so you know Don, this bill was received show the payment the customer made.

Activity 05/10/2004 03:10 PM Email: Gail Griffin-Wallace << Consumer Affairs

I've looked into this in more detail and have confirmed that Tel West received and posted the customer's payment of \$76.64 on 4/29/04. The bill date for this account was 5/1/04, which means that charges accrued during the bill cycle before disconnect. We posted a \$23.17 credit on 5/6/04, so the account now shows zero balance due, per our agreement. The customer should disregard the bill, as I mentioned in the last email. She should receive a final bill showing that the \$23.17 has been credited.

Activity 05/10/2004 03:58 PM Phone: Gail Griffin-Wallace >> cust

called customer and advised

**Complaint #88144**

Darlene Grant  
7012 Mary Avenue NW  
Seattle WA, 98117

Tel West Communications, LLC

PLEASE PUT A HOLD ON THIS ACCOUNT.

Customer has 3 issues:

1-THREAT DISCONNECT FOR 3/13/04

2 -COMPANY HAS PUT A LOCAL FREEZE ON THE LINE. Customer tried to switch to Qwest and Qwest told the customer that Telwest has a local freeze on her telephone service.

3-CUSTOMER WAS TO BE ON A PLAN WHICH TOTALLED \$26.92. The plan was \$19.99 - add taxes and the total became \$26.92.

=Advised the customer that she's to pay all but the disputed amount when or if she receives a bill.

\*\*Customer prefers that the company doesn't contact her while the informal complaint is open.

\*\*Please provide the bill history, payments, and notices on this account since the service was established.

\*\*3/10/04, 11:50-passed via e-mail to Co./Telwest/Chris Sturgul and cc'd Don Taylor = response due to DJ Suits on or before 3/12/04.

Activity 03/22/2004 05:54 PM Email: Diana Jones-Suits << Co./Telwest/Chris Sturgul

1- Customer has received letters for collection because account has been past due. These letters are generated automatically by the system.

2- Customer has never called in to have freeze removed or to say that she wanted to leave TWC.

Customer has called in to complain about billing errors and has been credited every time. The billing errors were due to a bad import. The total overcharged amount over 3 bills is \$79.50. The total credited amount is \$111.25 the over credit was for the inconvenience.

3- The plan that the customer is on is a basic plan that cost \$19.99 PLUS any applicable federal, state and local taxes and surcharges and any usage not included in the plan. TWC does not quote total charges because this can change depending on usage.

Does the customer want to migrate away?

Activity 03/29/2004 10:05 AM Email: Diana Jones-Suits >> Co./Telwest/Chris Sturgul

Chris, I need you to provide the bill history, payments, and notices on this account since the service was established. Here's an example of what I need:

DISCONNECT, BILLING DISPUTE, DEPOSIT COMPLAINT CRITERIA

Account information:

Established Date

Credit class

Amount of Deposit on file, if any

Number of Disconnections in last 12 months

Number of Late Notices in last 12 months

Number of Non-sufficient funds (NSF checks) in last 12 months

Account history:

The date the bill is mailed.

The current charges.

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The prior balance owing.  
The total amount of the bill.  
The due date of the bill.  
The date a payment is made and the amount of each payment.  
The date of and the amount of any credits or debits to the account (adjustments).  
The balance owing after payments and adjustments.  
The date of any late notices mailed and/or left at a customer's home and the dollar amount due.  
The due date of any late notices.  
The date and time of any telephone calls made as a form of a late notice, the dollar amount quoted as due, and the due date. Will also need to know whether the company actually spoke with the customer or not and if so, what were the results of the call (such as, the customer made a payment arrangement to pay what dollar amount on what day, or the customer said she could not pay until, etc.).  
The date of any disconnection of service and the dollar amount disconnected.  
The date an account was restored.  
Any account note or other information that is pertinent.

Account format example:

Est 5/20/00, D Acct, no dep, 2 late notices, no disc., no nsf checks  
10/2 bill 100.00c, 50.00pb, 150.00t, due 10/20  
10/18 paid 100.00, 50.00b  
10/22 late notice 50.00, due 11/3  
10/28 cust called - arrs to pay 50.00 on 11/5 at paystation. Co agreed.  
11/5 paid 50.00, 0.00b

c - current

pb - prior balance

t - total

b - balance

Activity 04/12/2004 12:35 PM Email: Diana Jones-Suits << Co./Tel-West/Chris Sturgul

Did you receive my response on 03/31/04? I show that I replied but Don does not have a copy and my sent items don't pull up. Here it is again.

11/11/03 bill 33.38c 33.38t due  
12/01/03 \$33.38  
11/25/03 paid \$33.38 \$33.38  
12/23/03 bill 56.05c 56.05t due  
01/01/04 \$56.05  
12/29/03 credit \$31.75 24.30b \$31.75  
12/31/03 paid \$26.92 (2.62)b \$26.92  
01/01/04 bill 56.40c (2.62)pb 53.78t  
due 02/01/04 \$56.40  
01/23/04 paid \$27.67 26.11b \$27.67  
01/31/04 late fee \$10.00 36.11b \$10.00  
02/01/04 bill 56.20c 36.11pb 92.31t due

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03/01/04 \$56.20  
02/16/04 paid \$25.42 66.89b \$25.42  
02/29/04 credit \$47.70 19.19b \$47.70  
03/01/04 bill 38.83c 19.19pb 58.02t due  
04/01/04 \$38.83  
03/12/04 paid \$26.92 31.10b \$26.92  
03/22/04 credit \$31.80 (0.70)b \$31.80  
03/31/04 bill 22.86c (0.70)pb 22.16t  
due04/20/04 \$22.86

Activity 04/14/2004 10:57 AM Email: Diana Jones-Suits >> Co./Tel-West/Chris Sturgul  
Hi Chris, no - this is the only e-mail response I have received in regards to my request. I will review and get back to you with closure.

Activity 04/21/2004 01:15 PM Voice Mail: Diana Jones-Suits << customer  
Customer stated that Tel-West continues to have a Freeze on her line.

Activity 04/22/2004 07:16 AM Voice Mail: Diana Jones-Suits << CUSTOMER  
stated she received a letter from Qwest stating that Tel-West has a local PIC freeze on her service, therefore, their unable to switch her service to Qwest.

Activity 04/22/2004 01:14 PM Email: Diana Jones-Suits >> Co./Tel-West/Don Taylor  
Don, Chris didn't respond to all of the issues regarding this complaint. Please respond. Also, the customer contacted me yesterday and today and stated the freeze is still on and she's trying to switch to Qwest and Qwest told her she can't because Tel-West has a local freeze on the line. (e-mailed entire complaint to the company)

Activity 04/22/2004 01:43 PM Email: Diana Jones-Suits << Co./Tel-West/DON TAYLOR  
I will check with Tel West to see if and when an LSR(s) were issued to remove the freeze. What has been happening is that Qwest issues its conversion order before Tel West's freeze lift order can be issued, and neither order will process. Tani Thurston has been monitoring a similar problem just resolved, and I'm sure can explain it in great detail. I will also request all bills and other customer information for this customer to see what went on.

Activity 04/22/2004 01:52 PM Email: Diana Jones-Suits << Co./Tel-West/DON TAYLOR  
I'm forwarding this message from Tel West in hopes that the formatting will hold. It appears to have the information you are requesting. If it does not show what you need or if you need to see the actual bills, let me know.

Activity 04/23/2004 06:48 AM Voice Mail: Diana Jones-Suits << customer  
customer states she spoke with Tel-West and the problem has been solved. Tel-West has given her a confirmation number. She thanked me for my help (closed with customer).

Activity 04/27/2004 03:59 PM Email: Diana Jones-Suits >> Co./Tel-West/Don Taylor  
I'm still waiting for all of the complaint information needed per the form I had e-mailed. Please provide that information. Also, if the customer was in threat of disconnect, please provide a copy of the notices sent to the customer and again, the account history. Please response by 5/4/04.

Activity 04/29/2004 08:30 AM Email: Diana Jones-Suits << Co./Tel-West/DON TAYLOR(see acct history) I sent this to you on 4/22. Did you not receive it? Your message this morning says you are still waiting for more information. What do you need that isn't shown below?

CustID	Transaction Type	Invoice Number	PostedDate	Description	Amount
	Total Amount Due	Check Number			
2238	Payment -1	4/15/2004 8:13	22.86	WA1128	
2238	Adjustment -1	4/13/2004 8:15		SHOULDNT HAVE LATE CHARGE.	-10
	ADJUSTMENT				
2238	Invoice 162581	4/1/2004 13:20	22.86 32.16		
2238	Adjustment 162581	4/1/2004 13:25	11040401	Late Charges 10	
2238	Adjustment 162581	3/25/2004 8:57	Caller ID (1)	-7.95	
2238	Adjustment 162581	3/25/2004 8:57	Caller ID (1)	-7.95	
2238	Adjustment 162581	3/25/2004 8:57	Caller ID (1)	-7.95	
2238	Adjustment 162581	3/25/2004 8:57	Caller ID (1)	-7.95	
2238	Payment 162581	3/12/2004 8:21	26.92	WA1122	
2238	Invoice 156589	3/1/2004 16:50	38.83 105.72		
2238	Adjustment 162581	3/9/2004 10:26	Caller ID (1)	-7.95	
2238	Adjustment 162581	3/9/2004 10:26	Anonymous Call Rejection (1)	-7.95	
2238	Adjustment 162581	3/9/2004 10:26	Caller ID (1)	-7.95	
2238	Adjustment 162581	3/9/2004 10:26	Anonymous Call Rejection (1)	-7.95	
2238	Adjustment 162581	3/9/2004 10:26	Caller ID (1)	-7.95	
2238	Adjustment 162581	3/9/2004 10:26	Anonymous Call Rejection (1)	-7.95	
2238	Payment 156589	2/17/2004 7:46	25.42	WA1115	
2238	Invoice 143533	2/1/2004 15:18	56.2 92.31		
2238	Adjustment 143533	2/3/2004 15:26	11040201	Late Charges 10	
2238	Payment 143533	1/26/2004 8:06	27.67	WA1111	
2238	Invoice 145380	1/1/2004 0:00	56.4 53.78		
2238	Payment 145380	1/12/2004 18:04	26.92	WA1104	
2238	Adjustment 145380	1/13/2004 13:52	-7.95		
2238	Adjustment 145380	1/13/2004 13:52	-23.8		
2238	Invoice 104369	12/23/2003 13:42	56.05 56.05		
2238	Payment 104369	12/23/2003 13:50		WA1096 PAYMENT ON ACCOUNT	33.38
2238	Invoice 101154	11/11/2003 0:00	33.38 33.38		

Do you really want all the bills?

LastModifiedDate	CloseDate	AccountNumber	JournalText	JournalTypeText
10/29/2003 0:00	10/29/2003 0:00	31358	DATABASE SET UP. CSR OK.	New Customer Order
	10/29/2003 0:00			
11/4/2003 0:00	31358		CUST CALLED AND STATED THAT SALE REP HAS ADVISED THAT SHE CAN CALL BACK AFTER HER SERV W/TEL WEST BEGAN TO ADD THE CID AT NO EXTRA CHARGE. I HAVE GAVE CID COST AND STATED THAT SHE CAN CALL BACK AND HAVE THAT CHANGED AT ANY TIME.	
		General Service Information	11/4/2003 0:00	
11/7/2003 0:00	11/7/2003 0:00	31358	Conversion pon 561113105, order C34654239, dd	

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11/04/2003 New Customer Order 11/7/2003 0:00  
11/10/2003 0:00 11/10/2003 0:00 31358 ADD CALLER ID TO PACKAGE AND REMOVE CALL WAITING  
Change Order 11/10/2003 0:00  
11/12/2003 0:00 31358 CID added, CW removed, pon 111003PP17 , order C35832766  
dd11/11/03 General Service Information 11/12/2003 0:00  
11/17/2003 0:00 31358 Customer called wanting to know why calls on caller id box shows as no info listed, informed customer to active \* 77 opt. customer will call back back if calls are still showing up as anonymous calls General Service Information 11/17/2003 0:00  
11/17/2003 0:00 31358 ADVSD HOW TO USE \*77. ADVSD IF RELATIVES ARE COMING UP BLOCKED, ITS THEM THAT HAVE TO UNBLOCK THEIR TN, NOT HER. General Service Information 11/17/2003 0:00  
12/29/2003 17:55 12/29/2003 17:55 31358 pls credit cust 7.95 for caller id msc for bill dates 12/1/03 - 1/1/04 she called in 11/10/03 to req call wait be removed and replaced with caller id Auditing Issue 12/29/2003 13:16  
12/29/2003 17:50 12/29/2003 17:50 31358 PLS CREDIT CUST 23.80 FOR INCORRECT BILLING; HER MONTHLY BILL SHOULD BE 26.92 Auditing Issue 12/29/2003 13:23  
2/9/2004 13:50 31358 cust called in to complain about charges and bills, is very angry was yelling and cussing, threatening, told cust that i would like to help her but couldnt if she wouldnt calm down, she then yelled some more and hung up Billing Remark 2/9/2004 13:50  
3/12/2004 8:21 3/12/2004 8:21 31358 Assigned account to Collections Assignment to CSR 3/8/2004 16:12  
3/19/2004 21:34 31358 DO NOT TREAT FOR COLLECTIONS UNTIL FURTHER NOTICE PUC Complaint 3/19/2004 21:34  
4/2/2004 17:55 4/2/2004 17:55 31358 Assigned account from Collections to dgallagher Assignment to CSR  
4/2/2004 13:53  
4/12/2004 13:28 31358 CUST CALLED, DISP 10 CHG FOR LATENESS, BC NOT HER FAULT, AND SHE PAID IN DUE TIME. ADJSUTED. Billing Remark 4/12/2004 13:28  
4/15/2004 20:41 4/15/2004 20:41 31358 cust called; wants freeze removed. please. 24-48 hrs advsd. Line Freeze Lift 4/14/2004 11:54

Activity 04/29/2004 01:49 PM Email: Diana Jones-Suits >> Co./Tel-West/DON TAYLOR  
Thanks Don. For some reason, the information wasn't all in the 4/22/04 e-mail. I've not documented the information.

Activity 04/29/2004 04:26 PM Email: Diana Jones-Suits << Co./Tel West/DON TAYLOR  
I'm not sure I fully understand your message. Do you have what you need for this complaint or do you need something more?

Activity 05/03/2004 02:47 PM Email: Diana Jones-Suits >> Co./Tel West./DON TAYLOR  
I was just letting you know that I have entered the previous information into the complaint. Nothing else is needed at this time.

Activity 05/05/2004 04:29 PM Email: Diana Jones-Suits >> Co./Tel West/Don Taylor

I have closed the informal complaint with the customer and the commission. I have noted the following violations:

=Six violations of WAC 480-120-166(6)

Company failed to report the results of the investigation to staff within two business days.

Response due on 3/12/04

Received on 3/22/04

=One violation of WAC 480-120-147(5)(c)

Company implemented a local freeze on the customer's account without acquiring the customer's authorization.

Disposition: Consumer Upheld

**Complaint #88145**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer authorized Tel West to switch her phone service to it from Qwest. Customer was told she would be sent a welcome package with instructions on how to use voicemail prior to the service being switched. Customer never received a welcome package. Ms discovered service was switched when she could no longer use her voice messaging. On 2/2/04, Ms called Qwest and asked that service be switched back to Qwest. Qwest attempted to do so, however, there was a LEC freeze on the line. Ms called Tel West, Tel West refused to lift the freeze. Service was not ported to Qwest until 2/27/04. Ms is disputing all feature charges as she had no instructions how to use voicemail and Ms is disputing local services as friends and family told her they frequently got a disconnect message when calling her number. Tel West has refused to credit the disputed charges. Tel West did credit the \$79.99 installation fee Ms disputed.

>Did Tel West place a LEC freeze on this customer's service without authorization?

>Is Tel West willing to credit the charges since customer had no access to service and callers couldn't get through to her in the 25 days Tel West provided service.

>Did Tel West send Ms a welcome package, and if so, when was it sent to the customer?

12:25)passed to Chris Sturgel, cc Don Taylor, @ Tel West via email.

Activity 03/23/2004 03:04 PM Email: Sheri Hoyt << Chris Sturgul

1- Tel West places a LEC freeze on all accounts at the time this account was established customers were notified of this. The customer called in on 02/04/04 to have freeze removed, freeze was removed same day.

2- Customer called in on 3/10/04 to dispute charges and spoke with 2 representatives and a supervisor. Her account was credited the \$79.99 installation charge because she was with TWC for less than 30 days. She was not credited the VM charges because we did send out a welcome letter and when her VM box was checked to make sure it worked properly there were 11 messages. If the customers friends did indeed get a disconnect message when calling her then it was a repair issue that she did not report. TWC is not willing to credit service charges because the allegations are not true.

3- TWC sent a welcome letter on 01/21/2004 at 6:52 PM. These letters are generated when we receive an FOC and mailed out the next available day. The service came began on 01/24/2004.

Activity 03/26/2004 11:25 AM Email: Sheri Hoyt >> Chris Sturgel, cc Don Taylor

Please be aware I have alleged 4 violations of WAC 480-120-166(7) as Tel West's response to this complaint was due by 5:00p.m. on March 17. Your response was not received until March 23. I will need a copy of the TPV recording for this customer's order. Your response indicates the customer was notified of the LEC freeze. Notification is not satisfactory. WAC 480-120-147(5) requires express consent from the customer. I need to hear the tape to determine whether the LEC freeze was placed with or without consent from the customer. When will I receive that recording? Further, in this complaint the customer did not allege that the voicemail didn't work, only that she didn't know how to use the service. She alleges she did not receive a welcome letter from Tel West instructing her how to use the service so she couldn't retrieve the messages. Please provide me a copy of the welcome letter that was sent to the customer on 1/21/04. Your response to this request for additional information is due within 3 working days. If I have not received your response by 5:00p.m. on March 31, I will allege daily violations of WAC 480-120-166(8) until such time as I have received your response.

Activity 03/26/2004 06:36 PM Email: Sheri Hoyt << Chris Sturgul

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TPV file is attached. TWC does not archive welcome letters that are sent out. They are generated automatically through a mail merge on a template and then time stamped in the database by the print vendor.

Activity 03/29/2004 09:43 AM Action: Sheri Hoyt

I listened to the verification recording. It was made on January 16, 2004. Justin from Capital Verification was the verifier. Ms identified herself as *Identifying information withheld at customer's request*. Justin asked if the phone number was *Identifying information withheld at customer's request* - Ms said yes. Justin asked if Ms was over the age of 18 and authorized to make changes to the phone service - Ms said yes. Justin asked Ms if she was authorizing Tel West to be her local phone service provider - Ms said yes. Justin asked Ms if she was authorizing Tel West to be her in-state long distance provider - Ms said yes. Justin asked Ms if she was authorizing Tel West to be her state to state long distance provider - Ms said yes. Justin asked Ms if she was authorizing Tel West to be her international service provider - Ms said yes. Justin asked Ms if she understood that Tel West was an independent company not affiliated with Qwest - Ms said yes. Justin stated Ms had selected Tel West's Unlimited Plan with Voicemail, and he listed all the features that were included in the service, and stated it was \$49.98 a month. Ms said yes. Justin stated that taxes and fees would apply in addition. Ms said yes. Justin stated Tel West would place a local service freeze on the line, however, to have it removed customer just needed to contact Tel West. No responses was asked for - Ms did not give one either. Justin stated Ms would received a \$10.00 certificate in her welcome package that could be used for her first month of service. Further, Justin stated if the customer canceled the service prior to 30 days after installation, the \$79.99 installation fee would be waived as well as if she kept the service more than 12 months. Justin asked Ms for her birthdate. Ms said *Identifying information withheld at customer's request*. Justin confirmed it. Justin asked what name she would like on the Tel West bill. Ms said *Identifying information withheld at customer's request*. Justin asked Ms for her mailing address. Ms said *Identifying information withheld at customer's request*. Justin then stated how long it would take to get the welcome package, etc., and thanks Ms for her order. Ms asked if she could ask Justin a question. Justin said yes. Ms said she didn't hear him said "voicemail". He repeated the name of the service she was authorizing. Ms said okay and thanked me.

Activity 03/29/2004 09:57 AM Email: Sheri Hoyt >> Chris Sturgul

I reviewed the TPV recording. I will be citing a violation of WAC 480-120-147(5) as the customer did not give express consent for the LEC freeze. Justin, with Capital Verification, stated it would be placed on the service. The customer was not asked for her consent. I will notify the customer that Tel West is sustaining the charges and get back to you to close.

Activity 03/29/2004 10:04 AM Voice Mail: Sheri Hoyt >> Ms

Called Ms, left message to return my call. I stated I would close the complaint if I have not heard from her by close of business March 31. However, she can contact me at any time to get the outcome of my investigation. I provided my toll-free number and hours of availability.

Activity 03/29/2004 04:27 PM Phone: Sheri Hoyt << Ms

Ms returned my call. I provider her the outcome of my investigation. Ms said the supervisor she spoke with on 2/5/04 admitted the welcome package was returned to Tel West because it failed to put her apartment number on the address. (The TPV recording has Ms giving her correct mailing address -- including apartment number.) Ms feels that, since Tel West didn't put the correct address on the welcome package (which contained the instructions for her voicemail) and didn't remail it up its return, Tel West should provide credit for her service. I told Ms I would go back to the company with this

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information and get back to her.

Activity 03/30/2004 08:34 AM Email: Sheri Hoyt >> Chris Sturgul

When I contacted the customer yesterday to provide her the results of my investigation, she told me that the supervisor she spoke with on February 5, admitted to her that the welcome package was returned to Tel West. The supervisor told Ms that Tel West had failed to put her apartment number on her address. I checked the verification tape. The customer gave her complete address to the verifier when her order was placed. Further, Ms said that the supervisor told her the package wasn't re-mailed to her. So, apparently, due to an address error by Tel West, this customer was not given the opportunity to get instructions on how to use the voicemail. She says that's why there were so many messages on her voicemail. She didn't know how to retrieve them. Given this information, is Tel West willing to provide some sort of credit towards Ms' outstanding balance? Your response to this request for additional information is due within 3 working days. If I have not received your response by 5:00p.m. on April 1, I will allege daily violations of WAC 480-120-166(8) until such time as I have received your response.

Activity 03/30/2004 06:43 PM Email: Sheri Hoyt << Chris Sturgul

The account notes do not corroborate what the customer is alleging. Also if the address was missing an apartment number, then TWC would not have been able to provision the order because the address would not have validated or the order would have completed to a basic address if one existed. Either way the customer would not have had service with TWC. The first indication that TWC had that the customer could not use her voice mail was when the customer called to have her freeze removed on 02/04/04. She then swore at our representative and was transferred to a supervisor. If a customer has problems with operating their voice mail the customer service department walks them through setting up the outgoing message and how to retrieve the messages. With the exception of the violation that you cited earlier TWC did nothing incorrect in the handling of this customer. I do not see any reason for credit adjustments for voice mail that was set up correctly.

Activity 03/31/2004 08:08 AM Email: Sheri Hoyt >> Chris Sturgul

Thanks for your response. I'll contact the customer and let her know the charges are sustained. I'll get back to you to close.

Activity 03/31/2004 05:28 PM Email: Sheri Hoyt << Chris Sturgul

Thanks

Activity 04/05/2004 09:19 AM Voice Mail: Sheri Hoyt >> Ms

Left message for Ms that I was not able to get the company to waive or credit the charges -- it is sustaining all charges as it denies the welcome package was ever returned to it. I stated I was not able to assist her further and I was closing the complaint. I said if she has any questions or concerns, I can be contacted toll-free at 1-800-562-6150, Monday through Friday, 8:00 a.m. to 4:30 p.m.



**Complaint #88188**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer's service was switched to Tel West without her knowledge. Ms' friend, Pam, on her behalf, called Tel West to dispute the bill she received on Monday. The bill is for services from December to current. Ms also received a collection notice. Pam opens and sorts all of Ms' mail. Pam says this is the first bill Ms has received for services. Ms has an order with Qwest to port service back to it. Pam told the Tel West representative she spoke with that Ms was going back to Qwest, the Tel West rep said Ms couldn't because Tel West has a freeze on the line.

>Please provide a TPV recording for this switch and the LEC freeze.

>Please provide a complete bill/account history for this customer.

12:46)passed to Chris Sturgel, cc Don Taylor @ Tel West via email.

\*Note: Ms gave permission for *Identifying information withheld at customer's request* to file this complaint on her behalf. Ms is elderly and lives in an assisted living facility.

Activity 03/19/2004 02:30 PM Email: Sheri Hoyt >> Chris Sturgel, cc Don Taylor

This complaint was passed to Tel West on March 12. As it is a service-affecting complaint, Tel West's response was due March 17 - please see WAC 480-120-166(6). I have alleged 2 violations of the rule. I will allege one violation per business day until such time as I have received Tel West's initial response to this complaint. When will Tel West be responding to this complaint?

Activity 03/24/2004 11:37 AM Email: Sheri Hoyt >> Chris Sturgel, cc Don Taylor

Please be aware that I have alleged 3 violations so far as Tel West has failed to provide it's initial response to this complaint. When will Tel West be responding to this complaint?

Activity 03/25/2004 12:54 PM Email: Sheri Hoyt << Chris Sturgul

I show that I replied to this on 03/23/04 at 2:58pm

Here is the information

1-TWC did not slam this customer. I have sent for the TPV file to be converted to a .wav format and will forward as soon as it comes in.

2-Bills have been sent to this customer on a regular basis and I've attached the bills as PDF files.

3-Customer called in on 03/12/04 (Friday) to have freeze removed order was placed and completed on 03/15/04 (Monday)

SEE HARD FILE

Activity 03/25/2004 01:54 PM Email: Sheri Hoyt >> Chris Sturgul

This is the first communication regarding this complaint that I have received. I look forward to receiving the TPV recording.

Activity 03/26/2004 09:00 AM Email: Sheri Hoyt >> Chris Sturgul

Upon review of the bill copies, I think I see why customer didn't receive earlier statements. Tel West is sending them to the wrong address. Customer receives mail at *Identifying information withheld at customer's request*. The bill copy you provided me show *Identifying information withheld at customer's request* as the address. When bills are returned to Tel West by the US Mail as undeliverable, do they get entered into the customer account so it reflects the bills were returned? Is the 01/01/2004 bill the first bill the customer received? If so, it doesn't appear to contain the required Welcome Package information (WAC 480-120-104). Was the customer sent a separate Welcome Package, and if so, can you please

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provide me a copy of it?

Activity 03/26/2004 06:12 PM Email: Sheri Hoyt << Chris Sturgul  
I should receive that by Monday 03/29.

Activity 03/26/2004 06:19 PM Email: Sheri Hoyt << Chris Sturgul  
Welcome packets are sent out separately and done through a mail merge by our print vender, we don't keep the welcome letters archived. I can send you the template, what would change is the customer's specific information. Returned mail is noted on accounts and customers are contacted to rectify the information.

Activity 03/30/2004 09:31 AM Email: Sheri Hoyt >> Chris Sturgul  
How are you coming with the TPV recording?

Activity 03/30/2004 12:22 PM Email: Sheri Hoyt << Chris Sturgul  
I just sent it right before I saw this email.

Activity 03/30/2004 12:24 PM Email: Sheri Hoyt << Chris Sturgul  
Here is the .wav TPV file.

Activity 04/05/2004 03:13 PM Action: Sheri Hoyt  
I listened to the TPV recording made on 11-15-03. The representative tells the verifier that service is for *Identifying information withheld at customer's request*. His rep id was 34177 and the customer selected the Value Package with Caller ID, Call Waiting and 3-Way calling. He stated the customer's name as *Identifying information withheld at customer's request*. The customer confirmed her name as *Identifying information withheld at customer's request*. The verifier asked Ms if the phone number was *Identifying information withheld at customer's request*. The customer said yes. The verifier asked Ms if she is over the age of 18 - the customer said yes - the verifier continued her question and asked if she was authorized to make changes to the telephone service. The customer said yes. The verifier asked Ms if she was authorizing Tel West to provide her local telephone service. The customer said yes. The verifier asked Ms if she was authorizing Tel West to provide her in-state long distance service. The customer said yes. The verifier asked Ms if she was authorizing Tel West to provide her state to state long distance service. The customer said yes. The verifier asked Ms is she was authorizing Tel West to provide her international calling service. The customer said yes. The verifier asked Ms if she understood that Tel West is a separate company and not affiliated with Qwest. The customer said yes. The verifier stated Ms had selected the Value Plan with provided unlimited local calling as well as 200 minutes of long distance calling in addition to Caller Id, Call Waiting, and 3-Way calling. The verifier stated the total cost for the service is \$29.99 a month in addition to applicable taxes and surcharges. The verifier stated the \$79.99 installation fee would be waived if the customer canceled service prior to 30 days of service or after 12 months of service. The verifier stated any calls placed in excess of the 200 minutes would be billed at \$0.05/minute for in-state as well as state-to-state. The verifier asked Ms to provide her month and day of birth as authorization for the switch. The customer said 7-18-23. The verifier repeated it and the customer said yes. The verifier asked Ms for her address. The customer said *Identifying information withheld at customer's request*. The verifier provided a toll-free number for Tel West to Ms and the call ended. \*Note: Customer provided incorrect address. Address should be *Identifying information withheld at customer's request*.

Activity 04/05/2004 03:27 PM Phone: Sheri Hoyt >> Ms

Called Ms, left message with person to have Ms return my call regarding Ms' complaint. I provided my toll-free number and requested a call back soon as it regards Ms' bill.

Activity 04/08/2004 11:16 AM Phone: Sheri Hoyt >> Ms

Called Ms, she was not available to come to the phone. I requested an address where I can send her a letter as I've left a message before and haven't received a call back. The address for Ms is *Identifying information withheld at customer's request*. I asked that Ms be told I called again.

Activity 04/08/2004 11:26 AM Letter: Sheri Hoyt >> Ms

Sent postcard, SEE HARD FILE:

FILE No.: 88188

April 8, 2004

*Identifying information withheld at customer's request*

Dear Ms. *Identifying information withheld at customer's request*:

The purpose of this communication is to update you on the status of my investigation into Ms. Janet Farr's informal complaint against Tel West Communications, LLC. I have been unable to reach you by phone. Please contact me so that we may discuss the outcome of my investigation. I can be reached toll-free at 1-800-562-6150, Monday through Friday, 8:00 a.m. to 4:30 p.m. If I do not receive a response by April 14, 2004, the complaint will be closed.

Sincerely,

Sheri Hoyt

Consumer Affairs Section

Activity 04/08/2004 11:32 AM Email: Sheri Hoyt >> Chris Sturgel, cc Don Taylor

I have listened to the verification recording. I do find that Tel West had proper authorization for the switch, however, a LEC freeze isn't even mentioned on the verification recording. I will be citing one violation for the unauthorized LEC freeze Tel West placed on this customer's service - WAC 480-120-147(5). I am waiting for the customer to contact me so that I may close this complaint. If I haven't heard from her by April 14, I will contact you to close.

Activity 04/12/2004 10:09 AM Voice Mail: Sheri Hoyt << Ms

Ms left message, returning my call. She didn't return my previous call because the message she got from her son indicated I was with Tel West. Ms can be reached this morning at *Identifying information withheld at customer's request*. She will not be available until 6:30 p.m. this evening if I don't reach her this morning. If not, she will call me again tomorrow.

Activity 04/12/2004 10:18 AM Voice Mail: Sheri Hoyt >> Ms

Left message on voicemail for Ms to return my call. I provided my toll-free number as well as hours of availability.

Activity 04/12/2004 10:26 AM Phone: Sheri Hoyt << Ms

Ms returned my call. I provided Ms the outcome of my investigation. Ms said that the customer really doesn't have the faculties to understand what she was saying yes to. Ms said she will say yes to anything. Further, Ms believes at the time she was solicited, the customer was angry at Qwest and thought only to get another company to provide her service. I offered to provide Ms a copy of the TPV recording, she declined. I explained to Ms that the customer gave authorization to Tel West to switch her services. I told Ms that I had cited a violation for the unauthorized LEC freeze, however, I was upholding the company on the switch and the charges due. I suggested Ms call Tel West to arrange a payment plan on the bill if

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the customer couldn't pay it all at one time. Ms thanked me for my help.

Activity 04/12/2004 10:44 AM Email: Sheri Hoyt >> Chris Sturgul, cc Don Taylor

I spoke with Ms *Identifying information withheld at customer's request* today and explained that Tel West received proper authorization for the switch. Further, I informed her the LEC freeze was placed without Ms *Identifying information withheld at customer's request* permission so I cited one violation for that action. Ms *Identifying information withheld at customer's request* maintains the customer is elderly and does not have the faculties to understand what she was agreeing to. She is very upset and concerned regarding the bill that is due as it is significantly higher than charges would have been with Qwest. I suggested Ms *Identifying information withheld at customer's request* call Tel West and ask for payment arrangements on the balance - in lieu of the customer not being able to pay the bill and it being sent to collections. You may close this complaint.

**Complaint #88198**

Harry Goon  
311 6th Ave. S. #215  
Seattle WA, 98104

Tel West Communications, LLC

Customer said he was contacted by the Co. and told if he switched his local and long distance services he would save at least \$2.00 per month over what he was currently paying Qwest, plus receive 15 minutes of free long distance (Qwest bills were approx. \$22 per month). Mr. said the rep. confirmed several times that his bills would be lower, as Mr. explained he is very low income. Mr. received the first bill, which was \$30.16 on 1/19/03. Mr. called the Co. thinking there must be a mistake, because of the promise to beat Qwest's bill. He was told there was no mistake. Mr. said he wanted the service canceled and be ported back to Qwest.

One 1/26/03 he called Qwest to see if the number was ported back, however, Qwest explained that there was a block preventing the change. The block was not removed until 2/3/04. The customer's 2/1 - 3/1 bill was adjusted, however he has just received another bill in the amount of \$91.34, which includes a fee of \$79.99 for a 12 month installation agreement. Customer wants installation agreement fee credited, as Tel West did not provide service at a lower cost, as promised when he switched providers.

3/12/04 4:13 PM -- Passed to Chris Strugul, Tel West Comm., via email.

Activity 03/26/2004 09:29 AM Email: Lynda Johnson >> csturgul

I haven't received a response on this complaint. If you sent it previously, could you please forward me your response. If not, please respond asap.

Activity 03/29/2004 03:26 PM Email: Lynda Johnson << Chris Sturgul

This is what I show on the account.

Customer's service began on 01/01/04.

He requested to have freeze removed on 01/20/04.

The order did not get placed until 01/28/03.

I believe that if the order had been placed on time the customer would have been able to migrate away within 30 days.

I will credit the installation fee on the account.

Activity 03/30/2004 08:53 AM Email: Lynda Johnson >> Chris Sturgul

What is the amount of credit you will issue against the installation fee?

Activity 03/30/2004 03:27 PM Email: Lynda Johnson >> Chris Sturgul

Could you please provide a TPV of the customer authorizing the Co. to put a local PIC freeze on his acct.?

Activity 03/30/2004 06:47 PM Email: Lynda Johnson << Chris Sturgul

The installation fee is \$79.99. I have already placed the credit toward the last invoice. A new invoice will generate on 04/01/04.

Activity 04/12/2004 12:25 PM Email: Lynda Johnson << Chris Sturgul

Don will provide you with this file. I have been on vacation and cannot send/receive .wav files.

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Activity 04/12/2004 05:37 PM Email: Lynda Johnson >> Don Taylor  
SEE ATTACHMENT Co. provided TPV which had the customer accepting local, inter/intrastate long distance and international service using a birthdate of 3/3/28. Customer was not given an option of choosing a local PIC freeze.

Activity 04/20/2004 05:13 PM Phone: Lynda Johnson >> Mr.  
RNA

Activity 04/20/2004 05:17 PM Email: Lynda Johnson >> Don Taylor  
This complaint can be closed with violations as noted:  
One violation of 480-120-166(7), late initial response. Complaint sent 3/12/04, initial response received 3/29/04. One violation of 480-120-166(8), late response to request for additional information. Requested TPV for local PIC freeze on 3/30/04. Received TPV of customer agreeing to switch service (did not include local PIC freeze) on 4/12/04.  
One violation of 480-120-147(5)(c) No authorization from customer before putting a local PIC freeze on acct.

Activity 04/23/2004 01:36 PM Letter: Lynda Johnson >> Mr.  
SEE HARD COPY  
I am writing about your informal complaint against Tel West Communications (Tel West). You stated that Tel West billed you \$79.99 for installation charges after you canceled its service on January 19, 2004. You also provided information that Tel West placed a block on your local service, without your authorization, which prevented porting of your local service back to Qwest Corporation. Tel West has issued a full credit of the \$79.99 installation fee, which should have appeared on your April 1, 2004 invoice. Tel West was also cited a violation for placing a block on your local service, without your authorization. At this time, I am closing the informal complaint. If you have any questions or need additional information, please call me at 1-800-562-6150.

**Complaint #88212**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer signed for service with Tel West about 2 months ago. Customer states service has not performed correctly since she signed up. States that when folks call her locally, they are instructed by a recoding to dial one first to complete the call. Says this happens about 75% of the time. Second issue is that the customer states she is paying for services that she has not received. Customer signed for Value Calling Plan with 200 free minutes of long distance caller i.d. Three way calling, last call return and voice mail. Voice mail never functioned. Customer got her first bill in the amount of \$77. Customer states that she was advised that she would have local service for \$24.95. Please advise as to billing issue. Customer states that she asked to speak with Supv. on 3 different occasions but was told they were unavailable. Customer has been told on three different occasions that the freeze had been removed. Customer is frustrated and wants to move her service back to Qwest. States that she has attempted on 3 different occasions to get local freeze removed but has not been successful. Please remove freeze on this customer's line so that she can port her number to Qwest.

Activity 03/29/2004 02:15 PM Email: Mike Meeks >> csturgul; donaldotaylor; jswickard  
I passed this complaint to Tel West on 3-15 but have no record of a response. Please advise.

Activity 03/29/2004 04:10 PM Email: Mike Meeks << Chris Sturgul  
1 - Billing issue.

Customer started service right after a billing cycle so the customers' first invoice included almost 2 months of service. This is itemized in the statement that the customer received.

2- Service problems.

The only notes we show on the account regarding service issues is a call from the customer on 1/22/04 asking when her service would be migrated to TWC. There are no calls for any service affecting issues.

3- Freeze

Customer called on 03/04/04 to remove freeze. Order was placed same day. On 03/12/04 customer called to say that freeze was still on account. Verified that the freeze was still on account sent order through again to remove and verified that the freeze was removed on 03/15/04. Customer migrated away on 3/19/04 D36751514

4- Supervisor

Customer asked to speak to a supervisor on 03/15/03 and was transferred.

Activity 03/30/2004 04:02 PM Email: Mike Meeks >> csturgul  
Please provide a copy of the TPV, authorizing the freeze on the customer's local service.

Activity 04/07/2004 02:48 PM Voice Mail: Mike Meeks >> customer  
Called customer, left voice message.

Activity 04/07/2004 02:51 PM Email: Mike Meeks >> *Identifying information withheld at customer's request*  
*Ms. Identifying information withheld at customer's request:*

I have received some information from TelWest regarding the issues of your complaint. I have been advise that you have been ported away from Tel West and currently have service with Qwest. I have more questions for Tel West and will contact you when I am finished with my investigation. When I opened this complaint, the bill total was \$77. Have you received any more bills? Please advise.

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Activity 04/09/2004 09:56 AM Email: Mike Meeks >> csturgul; donaldotaylor; jswickard  
Please provide a tpv for this customer. I requested this information of 3-30 but have no record of receiving th TPV. I have recorded 2 violations of 480 120 166 (8) for not responding to this request for more information timely. Please let me know if you dispute.

Activity 04/09/2004 10:13 AM Email: Mike Meeks << DON TAYLOR  
I have requested and will provide the TPV as soon as I receive it for this account.

Activity 04/09/2004 11:20 AM Action: Mike Meeks  
reviewed

Activity 04/09/2004 03:27 PM Email: Mike Meeks << DON TAYLOR  
Here is the TPV file for *Identifying information withheld at customer's request*. Sorry for the delay.

Activity 04/14/2004 02:21 PM Action: Mike Meeks  
listened to third party verification. cusotmer did not agree to line freeze.

Activity 04/14/2004 02:37 PM Action: Mike Meeks  
Listened to tpv. Everything appears to be proper, except no local service freeze authorization. Customer signed for Value plan with 200 minutes of long distance per month. Total for the plan was \$33.98 not including taxes and surcharges.

Activity 04/14/2004 03:12 PM Email: Mike Meeks << DON TAYLOR  
I've requested the information and will provide as soon as received.

Activity 04/14/2004 04:42 PM Email: Mike Meeks << DON TAYLOR  
Here are the answers to your questions:  
When did the customer start service? Answer - 1/26/04  
What was the customer's final bill amount? Answer - Final bill will be issued 4/21/04, previous bill amount was \$120.98.

Activity 04/15/2004 11:24 AM Email: Mike Meeks >> donaldotaylor  
Customer was to be billed \$33.98 per month for the calling plan she signed up for, according to the TPV. It appears that she only had service for 53 days ( 1-26 to 3-19). I don't understand why her bill at this point would be any more than about \$60. Please advise.

Activity 04/19/2004 10:25 AM Voice Mail: Mike Meeks >> Customer  
Called and left message to call back.

Activity 04/19/2004 10:26 AM Action: Mike Meeks  
At this point in the complaint the remaining issue is how much the customer owes. Customer only had service for approximately 2 months. Customer was signed to a \$33.95 per month plan.

Activity 04/20/2004 08:37 AM Email: Mike Meeks << DON TAYLOR  
It appears that service for this period would be about \$70.00 with taxes and surcharges, but the final bill should be out tomorrow, 4/21/04. I will advise once that is available.



Activity 04/20/2004 02:30 PM Voice Mail: Mike Meeks << customer  
lvmtcb

Activity 04/23/2004 02:44 PM Email: Mike Meeks << DON TAYLOR  
I've asked Tel West and will let you know as soon as I hear back.

Activity 04/26/2004 08:41 AM Email: Mike Meeks << DON TAYLOR

The "final" bill for this account is attached. However, I have asked that the installation charge be removed, so there will be another final bill issued showing removal of that charge. Below is a summary:

CustID	TransactionDate	TransactionType	InvoiceNumber	Description	Amount
TotalAmountDue					
7459	4/26/2004	8:21	Adjustment 0	12 Month Installation Agreement	-79.99 84.34
7459	4/21/2004	12:19	Invoice 177555		43.35 164.33
7459	3/21/2004	16:00	Invoice 167046		44.57 120.98
7459	2/21/2004	12:00	Invoice 158221		76.41 76.41

Activity 04/26/2004 12:40 PM Email: Mike Meeks >> donaldotaylor

Thanks for waiving the install charges. The customer appreciates it. I attempted to calculate the customer's charges and I see that she had service for a total of 53 days from the time she started service until the time she ported away. However, she originally asked to have the freeze removed in order to port away on March 4. Customer contacted the company again on 3-12 to get the freeze removed. The customer argues that she shouldn't be billed for service past the point that she indicated she wanted to port away Which was 3-4. The total number of days she had service would then be 38. Appears that she would have been billed \$1.13 per day for 38 days based on the \$33.99 plan she was enrolled in, not counting taxes, fees and surcharges. Please advise if Tel West will reconsider the billed amount.

Activity 04/26/2004 03:30 PM Email: Mike Meeks << DON TAYLOR

I will ask Tel West to accommodate the customer's request, given the difficulties involved in getting her service transferred. However, I would like to point out two things for your consideration:

Tel West immediately orders removal of a local service freeze when requested to do so by a customer. The problem is that Qwest typically has a pending conversion order already issued, which causes rejection of the freeze removal order. Nothing can happen until Qwest either cancels its conversion order or forces through the freeze removal order, which involves escalation and manual handling. It has been confirmed as recently as last week that this is the problem, involving Complaint No. 88633, assigned to Tani Thurston. Qwest acknowledged that it had improperly rejected Tel West's freeze removal LSRs four times before correcting the problem. This is a common occurrence, and Tel West is always blamed for causing the problem. Requesting removal of a local service freeze does not transfer service. After the freeze is removed, the customer must request transfer of service from their new provider. Tel West has customers who have requested removal of a freeze but did not transfer service for weeks or months. So to calculate what is owed to Tel West by using the date the freeze was requested (or even lifted) is not valid. Charges should be calculated dating back from when service was actually disconnected or transferred. However, as I've said, in this case I will have Tel West credit the account back to when removal of the freeze was requested, on the basis that service was intended to be transferred immediately after the freeze was lifted.

Activity 04/27/2004 08:37 AM Email: Mike Meeks >> donaldotaylor

Thanks for providing your perspective regarding the porting issue. I have spoken to Tani regarding her complaint regarding the same issue. I agree that if the problem is on the Qwest side, it is not fair to be

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blaming Tel West. I'm sure this issue will be revisited. Please advise regarding the final bill amount and I will contact the customer and close.

Activity 04/30/2004 11:23 AM Email: Mike Meeks << DON TAYLOR

Tel West has had difficulty getting timely and accurate records from its billing company in order to reconcile this account as we have agreed with you to do, and therefore has decided to waive all outstanding charges. Please advise the customer that her account will be closed with no payments due. If she receives any statements from Tel West showing any amount due she may disregard them. Tel West will take no collections actions regarding this account.

Activity 04/30/2004 11:45 AM Email: Mike Meeks >> *Identifying information withheld at customer's request*

I have received information from Tel West regarding your complaint. The company has agreed to waive all of the charges you incurred. If you receive a bill from Tel West, do not pay it. The company has assured me that you will not be responsible for the charges. I have closed your complaint. Please contact me at 1-800 562 6150 if you have any questions. Of course, you can always email me back.

Activity 05/02/2004 10:05 PM Email: Mike Meeks << *Identifying information withheld at customer's request*

This is a receipt for the mail you sent to

" *Identifying information withheld at customer's request* " < *Identifying information withheld at customer's request* > at 4/30/2004 11:45 AM

This receipt verifies that the message has been displayed on the recipient's computer at 5/2/2004 10:04 PM - C.DTF

**Complaint #88214**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer states that she subscribed to Tel West about 6 months ago or so. Says that she was promised that she would pay less on the Tel West bill than Qwest. Customer paid \$20 with Qwest per month for basic service. Says she got the first bill Tel West and it was \$159. Customer called Qwest to do a winback but apparently local freeze on the account prevented the customer from switching away. Customer is disputing all charges over what the telemarketer advised she would be paying (about \$20). Customer states that most current billing total is \$199. Says she has been trying to switch back to Qwest for more than 5 months.

Please provide TPV of local freeze.

Please remove local freeze so customer can port to Qwest.

Passed to TelWest @ 2:24pm on 3-15

Activity 03/15/2004 02:28 PM Email: Mike Meeks >> csturgul; donaldotaylor; jswickard  
Service affecting complaint, please respond within 3 working days.

Activity 03/29/2004 02:40 PM Email: Mike Meeks >> csturgul; donaldotaylor; jswickard  
I have no record of a response to this complaint. Please advise.

Activity 03/29/2004 06:13 PM Email: Mike Meeks << Chris Sturgul  
There is only one note on this account from the customer. On 11/25/03 the customer called in to say that she had not gotten her welcome letter and that she did not know she was our customer and had not received 1st 2 invoices. Invoices were sent out on the 11th of the month beginning on 09/11/03. No returned mail was ever received for this account. I have requested the .wav file for the TPV call and will forward as soon as it comes in. Order was placed for freeze removal with due date of 03/29/04 This account has been in a suspended status since 03/09/04 and 3 attempts were made to resolve billing dispute.

Activity 03/30/2004 08:20 AM Email: Mike Meeks >> csturgul  
Please provide the billing history back to the beginning of service. The customer states she was billed \$159 on her bill. Is that accurate? Please advise.

Activity 03/30/2004 08:37 AM Phone: Mike Meeks >> customer  
Called to discuss. Advised of readout. Advised that customer could probably switch to Qwest. I asked the customer to call me back to make sure she is turned on for outgoing calls but she is not.

Activity 03/30/2004 08:48 AM Email: Mike Meeks >> csturgul  
The customer states that she has been trying to get the local freeze removed for 5 months. She states that when she got the first bill of \$159, she contacted the co. to have the freeze remove. Are there any notes on this customer's account that reflect what she is telling me? Please advise. The customer states that she was to be connected to TelWest with dial tone, no other features The customer is contacting Qwest today for a winback. Please make sure this customer's service is not disconnected.

Activity 03/30/2004 05:51 PM Email: Mike Meeks << Chris Sturgul  
Here is the billing history. On 12/23/03 she may have received a bill for 159.53 because she has never

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made any payments.

Transaction Date	Invoice #	Description	Charge	Payment/Credits	Balance
3/1/2004 16:50	161406	Invoice 30.16		\$280.01	
2/29/2004 0:00	161406	Late Charges	10		
2/1/2004 15:18	143197	Invoice 30.16		\$239.85	
1/31/2004 0:00	143197	Late Charges	10		
1/1/2004 0:00	146248	Invoice 30.16		\$199.69	
12/31/2003 0:00	146248	Late Charge	10		
12/23/2003 13:42	105121	Invoice 30.01		\$159.53	
11/11/2003 0:00	100527	Invoice 31.51		\$129.52	
11/10/2003 0:00	100527	Late Charges	10		
10/11/2003 0:00	8431	Invoice 45.3		\$45.30	
10/10/2003 0:00	8431	Late Charges	10		
9/11/2003 0:00	8430	Invoice 32.71		\$32.71	

Activity 03/30/2004 06:07 PM Email: Mike Meeks << Chris Sturgul

Her call on 11/25/03 was to dispute billing. No freeze removal requests by the customer are noted on the account. All other notes are from the collections department trying to work out payment arrangements

Activity 03/31/2004 08:19 AM Email: Mike Meeks >> csturgul

Please provide copy of the TPV for this customer.

Activity 04/09/2004 09:49 AM Email: Mike Meeks >> csturgul

Please provide TPV of the customer's request to be served by Tel West. Please note:

I am recording 2 violations of 480 120 166 (8) for not responding timely to my request for the TPV on 3-31.

Activity 04/09/2004 10:13 AM Email: Mike Meeks << DON TAYLOR

I have requested and will provide the TPV as soon as I receive it for this account.

Activity 04/09/2004 11:20 AM Action: Mike Meeks

reviewed

Activity 04/09/2004 02:47 PM Phone: Mike Meeks >> customer

called customer, ring no answer.

Activity 04/09/2004 02:47 PM Email: Mike Meeks >> uswpuc

This is an inquiry to Qwest. Has this customer been ported to Qwest recently? Please advise.

Activity 04/09/2004 03:12 PM Email: Mike Meeks << Sara Adams

Steve Oxnevad will handle this complaint.

Activity 04/09/2004 03:34 PM Email: Mike Meeks << DON TAYLOR

Here is the TPV file for *Identifying information withheld at customer's request*. Sorry for the delay.

Activity 04/13/2004 12:15 PM Email: Mike Meeks << Steve Oxnevad

Mike--customer service complaint/inquiry response-- *Identifying information withheld at customer's request* had prior residential service with LEC Qwest under account *Identifying information withheld at customer's request*. Established 7/14/86 credit class A no deposit. Records show that on 9/15/03, we received a PON

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from CLEC TelWest to discontinue and resell the Qwest account as of 9/18/03. The order completed and Qwest account went final. I can see the earliest notes from 1/13/04, where Ms *Identifying information withheld at customer's request* contacted us to pursue a winback to Qwest. The problem was, and continues to be, local service freeze has not been removed from the CLEC end user account. I'm told there have been multiple rejections of the order request, due to the local freeze being in place. TelWest needs to request the local freeze be removed through our interconnect group. Please advise them to do so and I'll follow up for any future order activity. Let me know if you have any questions.

Activity 04/13/2004 01:07 PM Email: Mike Meeks >> donaldotaylor; csturgul; jswickard  
Please review the response from Qwest. Seems the customer still has a problem with the local service freeze being removed. How can we resolve this customer's complaint? This customer wants to port back to Qwest. Please advise.

Activity 04/13/2004 01:28 PM Action: Mike Meeks  
Listened to tpv. Customer signed up for basic service with \*69 feature for \$19.99 per month + taxes and surcharges. Customer did not have TPV for the line freeze on the service. Customer was not to be billed for \$79.99 install charges if she kept service for 12 months. Could cancel within 30 days and would not be billed for the \$79.99. If customer dropped service after the 30 days but before 12 months, she would be billed for that service. Customer agreed to Basic, interlata and intralata long distance service.

Activity 04/13/2004 01:56 PM Email: Mike Meeks >> csturgul; donaldotaylor  
I have been trying to figure this complaint out and this is the way it looks to me. I listened to the TPV and everything is good with that except there is no mention of a freeze on any of the service. Is there in fact a freeze on this customer's service? If so, please remove it so the customer can port back to Qwest. For some unknown reason, the customer didn't get the first two bills. Customer calls TelWest to advise that she just got the first bill for \$159. It seems pretty clear to me that in fact the customer didn't get her first two bills because you have a record of her contacting TelWest on 11-25 stating that she didn't get her bills. So she still didn't get a bill until December 23 for \$159. Of the \$159, the customer has been billed \$30 in late fees. Interesting since she told the company that she didn't get the bills. Then since the bill keeps getting bigger and bigger, she tries to port back to Qwest but she can't because there is a freeze preventing her from switching back. Catch 22. Although there is no mention in the Tel West record, I'm thinking this customer advised that she just got a \$159 bill for a \$30 a month service and indicated that she wanted to drop TelWest and go back to Qwest. Please advise as to how you think we can resolve this complaint. My feeling is that the customer owes for about 3 months of service. The customer tried to port back to Qwest (according to Qwest records on 1-13). I think that a fair resolution would be to remove the freeze, and charge the customer for the service she had up until Jan. 13., at the agreed upon rate minus the late fees. Please advise. Thanks

Activity 04/14/2004 08:35 AM Email: Mike Meeks << DON TAYLOR  
I am checking with Tel West to get more details on this, but here is what typically what happens in these cases: There is a line freeze on the customer's account. The customer contacts Qwest (or vice versa) to return service to Qwest. Qwest enters an order in its systems to convert service back to Qwest. The conversion order rejects because there is a freeze on the line. The customer asks Tel West to remove the freeze. The freeze lift order rejects because there is a pending conversion order on the account, placed by Qwest. The customer believes that Tel West is refusing to lift the freeze, even though Tel West has issued an order and has a FOC from Qwest

In this case, the freeze lift order was issued as requested by the customer, with a due date of 3/29/04. If

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the freeze is still on the line, it's because Qwest has an order pending on the account. What puzzles me is that Qwest knows that a pending conversion order on the line will automatically cause rejection of freeze lift orders. So why doesn't Qwest first advise the customer to contact Tel West to have the freeze lifted and after that order is completed (usually one or two days) then call Qwest back to request transfer of their service to Qwest? For Qwest to state, as they did in your previous email, "The problem was, and continues to be, local service freeze has not been removed from the CLEC end user account. I'm told there have been multiple rejections of the order request, due to the local freeze being in place. TelWest needs to request the local freeze be removed through our interconnect group," is backwards. Tel West is powerless to lift a line freeze as long as Qwest has a pending order on the account, so Qwest has to first cancel its conversion order so Tel West can re-issue the line freeze lift order.

In terms of the billing issues, I believe your solution is fair and will recommend this to Tel West.

Activity 04/14/2004 09:58 AM Email: Mike Meeks >> soxneva

I just received the following from Tel West. Can you tell me if this is accurate? If so, how do we resolve this problem for customers and for the companies in the future? Please review and advise.

Activity 04/14/2004 10:28 AM Phone: Mike Meeks >> customer

Called customer and discussed. Told her that I was still pursuing the issues of the complaint. Advised that the freeze on her account had not been removed.

Activity 04/15/2004 12:59 PM Email: Mike Meeks << DON TAYLOR

The account has been removed from collections and all late charges removed. The remaining balance owed by this customer is \$109.52 for three months' service that was provided.

Activity 04/15/2004 05:00 PM Email: Mike Meeks << Steve Oxnevad

Mike--I had someone in our wholesale/interconnect group review this particular case. I'm told that we did receive a PON from CLEC TelWest, and the LSR(local service request) that accompanied it did indeed ask for local service freeze removal. For some reason, TelWest had marked it for manual handling, which shouldn't have to be done. It was rejected by a typist in the wholesale group because of the pending winback N order. I'm told that that is definitely not standard practice or procedure. The person's manager has been notified. If TelWest would like to resubmit the LSR, I'm advised that it will work this time. Let me know if you have any questions.

Activity 04/16/2004 09:09 AM Email: Mike Meeks >> donaldotaylor

I just got the following from Qwest regarding the porting of this customer's service. Qwest is saying that TelWest can resubmit the LSR at this time.

Activity 04/16/2004 01:12 PM Email: Mike Meeks << DON TAYLOR

I have forwarded your message to Tel West for immediate attention.

Activity 04/16/2004 01:28 PM Email: Mike Meeks << DON TAYLOR

Per Tel West, the freeze lift order was reissued to Qwest as follows:

PON: 4164MMQ01

LSR: 10260947

Due Date: 4/16/04

Activity 04/19/2004 10:32 AM Voice Mail: Mike Meeks >> Steve O

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Called to see what the customer's next step should be. Asked Steve to call me back.

Activity 04/19/2004 11:20 AM Voice Mail: Mike Meeks << Steve

Called to say that the customer should do nothing at this point. Qwest states that the order is pending.

Activity 04/29/2004 08:07 AM Email: Mike Meeks >> soxneva

Do you know if the customer's service has been ported to Qwest? Please advise.

Activity 04/30/2004 09:49 AM Email: Mike Meeks >> donaldotaylor

It's the never ending complaint. I have just received the following from Qwest please advise, thanks:

Mike--an update--at this point, there is no update. We're still waiting on TelWest to submit PON/LSR, to generate a record order removing local service freeze from their end user account. I've had appropriate Qwest staff monitoring this for me, which we'll continue to do until the winback order is released and the number is ported over to Qwest. I'll status you again next week.

Activity 04/30/2004 10:08 AM Email: Mike Meeks << DON TAYLOR

Apparently Qwest is still saying that Tel West needs to issue a freeze lift order on this account. Please check the following LSR due 4/16/04 requesting lift of the freeze. Can you force this through as you have done for previous LSRs? Thanks and please let me know what you find out or are able to do.

Activity 04/30/2004 01:31 PM Voice Mail: Mike Meeks >> mspence

Jan called to say that the problem is that the order is still in the "deny status". Says that the number must be disconnected. Wants to talk to somebody at Tel West.

Activity 04/30/2004 01:41 PM Email: Mike Meeks << DON TAYLOR

I have no problem talking with Jan or anyone else at Qwest. I can't pass orders but I can try to make sure the right people are involved. I will call Jan now.

Activity 04/30/2004 01:44 PM Email: Mike Meeks >> mspence

Don says he will call you.

Activity 04/30/2004 02:27 PM Email: Mike Meeks << DON TAYLOR

I just had a conference call with Jan Spence at Qwest and Mat Myers at Tel West. Jan advised that there was a one-way deny order against the line which Tel West needed to remove before the freeze lift order could process. Tel West issued the order to remove the one-way deny while we were on the line. Jan agreed to monitor the order and call Mat when it has completed so Tel West can reissue the freeze removal order. This should all be done today. Also, I have an email from you today at 11:52 am closing this complaint. Is that correct, or was it an error?

Activity 04/30/2004 04:17 PM Email: Mike Meeks << Marilyn Spence

N54979314 we are trying to release this winback order as we speak.

Activity 05/04/2004 04:09 PM Email: Mike Meeks << Steve Oxnevad

Mike--final update--I'm not sure how much information from this complaint resolution was forwarded to you last Friday, 4/30. But it looks like Jan Spence got quite involved with this. She spoke with Don Taylor at TelWest, helped to generate the needed LSR's to restore the CLEC customer's account, and then remove the local freeze. That allowed the Qwest winback order to be released with an expedited DD of 4/30. Appropriate Qwest wholesale & retail personnel were involved. All orders completed and posted

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on Friday, 4/30. So at this point, I think this is okay to close. Let me know.

Activity 05/04/2004 04:40 PM Phone: Mike Meeks >> customer

Called customer advised of resolution. Customer states she paid \$109 to the company.

Activity 05/05/2004 08:28 AM Email: Mike Meeks >> don taylor

I have closed this complaint with 1 violation of 480 120 147 and 3 violations of 480 120 166 for late responses. The customer advised that she is now up with Qwest and just recently paid \$109 so hopefully, that takes care of the billing issue. Please contact me if you dispute the vios. or if you have any other questions.

Activity 05/05/2004 08:29 AM Email: Mike Meeks >> soxneva

I have closed this complaint. Thank you for all of your help and thanks to Jan too. The customer appreciates your efforts.



**Complaint #88403**

Alva Godfrey  
1020 Seneca Apt 210  
Seattle WA, 98101

Tel West Communications, LLC

received complaint form (see file). Customer has continued to receive a bill from Tel West after service has been canceled. Customer provided this timeline:

10/21/03 Switched to Tel West

11/3 received bill. Did not receive all services. Asked for credit, declined.

11/03/03 Called Qwest and requested to change service back to Qwest

11/10/03 Qwest informs her she must contact TelWest. Customer calls Tel West requests line to be unfrozen.

12/10/03 Line still not released. Customer asked again to release line

12/17/03 Qwest becomes her carrier

12/17-3/5/04 Telwest continues to bill for each month.

Customer would like the bill credited back to 12/17.

3/23 12:12 passed to Tel West via e-mail

Activity 03/23/2004 12:14 PM Email: Pam Smith >> Co  
New complaint. Please respond to me.

Activity 03/23/2004 12:17 PM Email: Pam Smith >> customer  
Thank you for contacting the Washington Utilities and Transportation Commission with your telephone company concerns. I have opened an informal complaint against Tel West Communications. I will contact you again when I have completed my investigation. If you have questions, please contact me toll-free at 1-800-562-6150.

Activity 03/29/2004 07:06 PM Email: Pam Smith << Chris Sturgul  
The customer was receiving invoices incorrectly. The loss information did not import properly. This has been fixed. A corrected final invoice was mailed to the customer on 03/21/04. I have attached the PDF of the invoice.

Activity 03/30/2004 02:46 PM Email: Pam Smith >> Chris  
( see file for invoice). I have reviewed the info, it looks like TelWest credited 181.31. Why is there a 20.30 balance.

Activity 03/31/2004 09:07 AM Email: Pam Smith >> Chris  
Please provide the TPV for this customer. Pam Smith.

Activity 04/07/2004 09:47 AM Phone: Pam Smith >> Chris  
Ivm explained leaving until 4/19. Please provide info re: balance and TPV. Please mail or e-mail TPV to myself and Betty Young. Chris is out until 4/12.

Activity 04/12/2004 12:44 PM Email: Pam Smith << Chris Sturgul  
The 20.30 balance is the prorated amount for service provided to the customer. Customer paid this

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amount 04/07/04 there is zero owing on the account now.

Activity 04/12/2004 07:31 PM Email: Pam Smith << Chris Sturgul  
I have sent for the . wav file. As soon as it comes in I'll forward it on.

Activity 04/20/2004 11:07 AM Email: Pam Smith >> Chris  
What is the status of the wav file? Please respond by 4/21. Pam

Activity 04/21/2004 12:29 PM Email: Pam Smith << Co  
listened to wave file: Capitol Verification  
Purpose of call is to verify switch locl and long dis to Tel West; date is 9/27/03 206-405-4297. Authorized  
to make changes? yes  
Tel West for local? yes  
instate long? yes  
state to state? yes  
international service? yes  
Are you aware that Tel West is separate company and not affiliated w/ Qwest? yes  
Unlimited plan includes line unlimited local and long distance and options 45.99 47.99 + taxes and fees  
No install fee if have Tel for 12 months or cancel in 30 days.  
D OF B 1/8/77  
Name on billing? Yes  
Address 1020 Seneca 98101  
Will process order w/i 30 days.  
(OPEN ACTIVITY TO VIEW WAV FILE)

Activity 04/21/2004 12:30 PM Email: Pam Smith << Chris Sturgul  
That file was forwarded on 4/15, I'll send again

Activity 04/21/2004 01:06 PM Email: Pam Smith >> Chris, Don  
I received the wav. file thanks. I have one last question, why was this customer's pic frozen? Pam-

Activity 04/21/2004 01:38 PM Email: Pam Smith << DON TAYLOR  
A preferred carrier freeze was placed on the line to prevent unauthorized changes of service providers.

Activity 04/21/2004 02:50 PM Phone: Pam Smith >> cust  
called customer he received the 20.30 bill and paid it. closed

Activity 04/21/2004 02:52 PM Email: Pam Smith >> Don  
I am going to close this, I have recorded one violation of WAC 480-120-147 (5) Co is required to obtain  
separate authorization for the carrier freeze. The LOA did not get this approval. Pam-

**Complaint #88520**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer agreed to TelWest service 12/15. She was told a welcome package would arrive in 2 weeks. Customer received package 2/18/04. Customer called to cancel. Customer attempted to migrate but a freeze was placed on line.

\* Provide TPV or LOA authorizing freeze on local service per WAC 480-120-147(5).

\* Verify any carrier freeze has been removed.

\* Provide billing and payment history.

passed to TelWest via email 3/30 @ 8:45am

Activity 04/15/2004 02:39 PM Email: Gail Griffin-Wallace << Chris Sturgul wav file for TPV has been requested, will forward as soon as it is received. Request to remove freeze was received on 02/23/04 order R51626696 completed on 02/23/04. customer did not migrate away until 03/17/2004 with order D54320756.

Activity 04/15/2004 05:23 PM Email: Gail Griffin-Wallace << Chris Sturgul  
Gail here is the TPV file. Don Taylor will be handling any further inquiries to this complaint.

\*\*\*\*\*WAV.FILE ATTACHED\*\*\*\*\*

Observations:

\*Verifier is Kathy from Capital Verification

\*date: 12/15/03

\*customer responded yes to the following questions: are you over 18 and authorized to change service; do you authorize telwest to be your local provider; do you authorize telwest to be your local toll provider; do you authorize telwest to be your long distance provider.

\*verifier announced that telwest is in no way connected with Qwest

\*verifier explained value plan for \$29.99

\*verifier stated for the customer's protection a freeze was being placed on account (customer did not initiate)

\*terms were explained - cancel within 30 days/ no installation fee after 12 months.

\*unique identifier given *Identifying information withheld at customer's request*

\*3102 NE 20th St.

Renotn, WA 98056

Activity 04/22/2004 02:55 PM Email: Gail Griffin-Wallace >> Telwest  
I am recording a violation of WAC 480-120-47(5)(c). Customer did not initiate request for carrier freeze. Can you verify when customer's welcome package was sent?

Activity 04/22/2004 03:22 PM Email: Gail Griffin-Wallace << DON TAYLOR

I've requested the information and will provide once received.

Activity 04/23/2004 07:18 AM Email: Gail Griffin-Wallace << DON TAYLOR

Per Tel West the Welcome Package was sent on 2/13/04 at 3:53 pm.

Activity 04/26/2004 08:54 AM Fax: Gail Griffin-Wallace << cust

Rec'd 4/26\* Telwest bill copy dated 5/11/04 w/ new charges

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Activity 04/26/2004 09:33 AM Email: Gail Griffin-Wallace >> DON TAYLOR

The TPV advises the customer that a welcome package will be sent within two weeks. How does Telwest account or the delay? Can you provide a copy of a welcome package?

Activity 04/26/2004 02:29 PM Email: Gail Griffin-Wallace >> cust

customer called - provided update. Advised customer that she was given information in the TPV regardless of when the welcome package was sent. Customer said she received another bill with new charges even though she is no longer with company. Customer is faxing copy.

Activity 04/26/2004 03:09 PM Email: Gail Griffin-Wallace << DON TAYLOR

Tel West's Welcome Package is sent out by a contracted third party, not directly by Tel West. I cannot explain why there was a delay in sending the package to this customer, but I will review the process with Tel West and the contractor to ensure that it is mailed as soon as possible after sign up by customers, and within the two week period specified. I can provide a sample copy of the Welcome Package, but I cannot get a duplicate of the specific package to this customer. I provided a sample copy to Betty Young on February 13, 2004. Perhaps you can get it from her - if not I will fax you another copy of what I provided her.

Activity 04/27/2004 08:52 AM Email: Gail Griffin-Wallace >> DON TAYLOR

Please fax me a copy of the sample welcome package. Also, customer just provided a copy of a TelWest bill dated 5/11/04 with new charges. Customer migrated away 3/17/04. Any charges after that date is a violation of WAC 480-120-172(5). A violation has been recorded. Please adjust account and advise what credits have been issued.

Activity 04/29/2004 09:59 AM Email: Gail Griffin-Wallace << DON TAYLOR

Attached is a copy of this customer's final bill, dated 5/21/04. Tel West believes the amount shown as owed by the customer is correct and reflects charges through 3/17/04, which is when the customer's service was transferred away from Tel West. The bill also shows a credit for the installation charge and associated taxes, leaving a balance due of \$77.85. I would like to see a copy of the bill dated 5/11/04 that was provided to you by the customer. Please fax to me at 253-639-4830. see hard file for attachment

Activity 04/29/2004 10:53 AM Fax: Gail Griffin-Wallace << telwest  
received via fax: copy of Telwest welcome package

Activity 04/29/2004 11:16 AM Email: Gail Griffin-Wallace >> DON TAYLOR

The bill customer received is on its way. The revised bill you sent includes the current charges billed. Does TelWest bill in advance? Was customer also sent a bill for April?

Activity 04/29/2004 11:17 AM Action: Gail Griffin-Wallace

Faxed copy of customer's recent bill to TelWest transmitted OK

Activity 04/29/2004 11:42 AM Email: Gail Griffin-Wallace << DON TAYLOR

I received and reviewed the customer bill you faxed. I am having the final bill re-issued to remove any charges after 3/17/04.

Activity 05/03/2004 02:52 PM Email: Gail Griffin-Wallace >> TelWest

I have been reviewing the complaint. The failure of your third party contractor to mail the customer

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welcome package timely (within 15 days) is a violation of WAC 480-120-104. A violation has been recorded. The customer never had the opportunity to review the terms of her association with TelWest so a timely cancelation could be made. The customer canceled service as soon the package was received believing that service had not started because she had not received the welcome letter. Customer should receive adjustment for all charges. Gail

Activity 05/03/2004 04:08 PM Email: Gail Griffin-Wallace << DON TAYLOR

Tel West acknowledges that the Welcome Package was not mailed to this customer within 15 days after installation of service, and I will review Tel West's process to ensure compliance with this requirement. However, Tel West disputes the request to refund or waive all charges on the basis of a late Welcome Package. The customer clearly authorized Tel West to provide local and long distance services, and was accurately quoted the charges for the services to be provided, as shown on the TPV file. The Welcome Package is a confirmation of her order, not the basis for deciding whether or not to order service. If a Welcome Package were to arrive on the 15th day after installation and a customer canceled service that same day, they would still owe for 15 days service. I can have Tel West adjust charges back to the date the customer requested cancellation of service (2/23/04), but I don't think credits or refunds prior to that time are appropriate.

Activity 05/10/2004 12:43 PM Email: Gail Griffin-Wallace >> telwest

What is the final bill for this customer? What are the final credits applied? Gail

Activity 05/11/2004 11:49 AM Email: Gail Griffin-Wallace << Consumer Affairs

I have taken a closer look at this account, and I have discovered that there were address validation and other problems involved in the conversion of this account from Qwest to Tel West. Even though the customer authorized transfer of service on 12/15/03, service was not actually transferred until 2/17/04 (that is the Qwest conversion order completion date). This explains the delay in sending out the welcome package, which does not happen until service is converted. Tel West would therefore appreciate removal of the violation you cited for delay in sending the new customer welcome package. The customer requested removal of the line freeze on 2/20/04, and the order completed at Qwest on 2/23/04. Even though service was not transferred back to Qwest until 4/15/04, Tel West will waive all charges against this account and close it with no balance due on the final bill to close this complaint.

Activity 05/18/2004 02:36 PM Phone: Gail Griffin-Wallace >> cust  
called customer and advised

Activity 05/18/2004 02:40 PM Email: Gail Griffin-Wallace >> Tel West Complaints

I have advised the customer and closed the complaint. Thank you

**Complaint #88635**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer signed for TelWest in December. Was switched away from Qwest. Customer had voice mail with Qwest and when he discovered that he could no longer get V.M. he called TelWest to drop service. Says he called the next day after the service was turned on with Tel West to drop service. Customer says that Tel West put local service freeze on his account, customer tried to switch back to Qwest and was told that there was a freeze and couldn't switch. Customer tried to get freeze removed for almost 1 month. Customer has been billed for service during the time he was trying to get the freeze removed. Customer states the bill amount at this time is \$20.98. Wants credit for this amount. Please provide TPV of freeze on local account. Passed to co. at 2:29 pm on 4-6.

Activity 04/06/2004 02:30 PM Email: Mike Meeks << telwest10

I will be out of the office for the week of April 5th and will return on April 12th to respond to your email.

Activity 04/14/2004 07:59 AM Email: Mike Meeks << DON TAYLOR

According to Tel West's records: Customer converted on 12/1. Customer called on 12/11 to have line freeze lifted. Line freeze was lifted 12/16. Customer transferred on 12/28. Outstanding payments due Tel West from this customer are \$20.98, which Tel West will waive. I have attached the TPV for transfer of this account to Tel West, but it was made before changes to the script explicitly showing customer understanding and approval of the line freeze. Prior to the TPV script changes, the line freeze issue was addressed during the telemarketing portion of the sale.

Activity 04/14/2004 09:07 AM Voice Mail: Mike Meeks >> customer called customer and left a detailed voice message. Closed.

Activity 04/14/2004 09:12 AM Email: Mike Meeks >> DON TAYLOR

The attachment for the TPV did not make it to me. Could you re-send it?

Activity 04/14/2004 09:23 AM Email: Mike Meeks << Chris Sturgul

Wave file attached

Activity 04/14/2004 01:17 PM Action: Mike Meeks

Sent the following to the customer after he asked for some documentation.

Mr. *Identifying information withheld at customer's request*: I received your voice mail regarding documentation of the credit by Tel West. This is the documentation of your complaint against the company. This is the official record. Please note the 4-14 entry from Tel West. Please contact me at 1-800 562 6150 if you have any further questions.

Activity 04/14/2004 02:19 PM Email: Mike Meeks >> donaldotaylor

I have closed this complaint with 1 violation of 480 120 147 regarding the TPV for the line freeze. Let me know if you dispute. I appreciate your speedy resolution to this complaint.

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**Complaint #88647**

*Identifying information withheld at customer's request*

Tel West Communications, LLC

Customer has two issues with Tel West:

- 1) Customer tried to switch her service to another CLEC, which was delayed for about a month because Tel West had put a freeze on her line which she had not ordered.
- 2) Customer is being billed a final bill of \$87.30, for early termination of her service. Ms was not aware of any agreement to keep her service for any period of time. This after Ms had been told she would receive a refund check for overpayment.

Tel West, please provide verification of the customer's order for any freezes that were on her service. Also provide information to support the \$87.30 bill.

(passed via e-mail to Chris Sturgul, cc to Don Taylor - 4/7, 1:15)

Activity 04/07/2004 01:28 PM Email: John Cupp << Chris Sturgul

I will be out of the office for the week of April 5th and will return on April 12th to respond to your email.

Activity 04/14/2004 07:20 AM Email: John Cupp << DON TAYLOR

Unfortunately, Tel West cannot locate a TPV file for this customer. The customer ordered service very early in the telemarketing / TPV process for Tel West and apparently a TPV was either not recorded or not retained. In view of this, Tel West is willing to waive all charges pending on the customer's account. Attached for your reference are the two most recent customer bills. Please advise if this offer is sufficient to close the complaint.

Activity 04/14/2004 08:01 AM Email: John Cupp >> DON TAYLOR

I don't see the attachment. Will you please send it again?

Activity 04/14/2004 08:04 AM Email: John Cupp << DON TAYLOR

Sorry John. I checked my previous reply and apparently forgot to add the attachments. Here they are.  
<OPEN THIS ACTIVITY TO ACCESS ATTACHMENT>

Activity 04/14/2004 12:24 PM Phone: John Cupp >> Customer

I told Ms that the company has waived all charges. I told her that the company was unable to provide verification of her order for service or her order for the freeze it had put on her line. I told her that she should call me if she finds that the company does not keep its promise to waive the charges.

Activity 04/14/2004 12:45 PM Email: John Cupp >> Don Taylor

I have noted a violation of WAC 480-120-147(5)(c), which says a freeze must be verified and confirmed as specified in parts (1) and (2) of this rule. Please let me know if you have comments regarding the violation. I would like to verify that the account has a zero balance.

Activity 04/14/2004 01:43 PM Email: John Cupp << DON TAYLOR

Tel West adjusted this account to a zero balance today.

Activity 04/14/2004 01:44 PM Email: John Cupp >> DON TAYLOR

Thanks, Don. Let's close the complaint.

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**Complaint #88972**

James P. Kavanagh  
12807 Sunrise Drive  
Bainbridge Island WA, 98110

Tel West Communications, LLC

Received complaint via email. Complainant states Tel West slammed his service on January 3, 2004. He has received a demand notice for \$222.91. Customer attempted to switch services back to Qwest, however, Tel West had a LEC freeze on the service which prohibited Qwest from taking the service. Customer says it took many calls, and finally a conference call with Qwest and Tel West, and many days to get the freeze lifted.

>Please provide TPV or LOA for the switch as well as the LEC freeze.

>Please provide a complete billing history for this customer.

11:30)passed to Don Taylor @ Tel West via email.

Activity 04/30/2004 12:20 PM Email: Sheri Hoyt << DON TAYLOR

Tel West's records show this customer authorized transfer of service on 11/21/03 and service was transferred on 12/22/03. I have requested that the TPV file be converted to .wav format and sent directly to you by Capitol Verification (at that time they were using VCE format which apparently the WUTC cannot open). I have requested all billing records and will provide to you upon receipt.

Activity 04/30/2004 12:45 PM Email: Sheri Hoyt << DON TAYLOR

This is what Tel West has on the account for the phone number referenced. Although the name is spelled differently and the address is different from what is provided on your complaint email. As I mentioned in the previous email, I've requested the TPV file be sent to you. SEE HARD FILE

CustID	TransactionDate	TransactionType	Status	InvoiceNumber	PostedDate	Amount
7309	5/21/2004 15:09	Invoice 178780	178780	5/21/2004 15:09	0	94.6
7309	4/26/2004 15:28	Adjustment	178780	4/27/2004 8:32	-79.99	4/26/2004 18:23
		<i>Identifying information withheld at customer's request</i>				Billed
7309	4/21/2004 12:19	Invoice 177348	177348	4/21/2004 12:19	-48.32	174.59
7309	3/21/2004 16:00	Invoice 167007	167007	3/21/2004 16:00	57.68	222.91
7309	2/21/2004 12:00	Invoice 158174	158174	2/21/2004 12:00	165.23	165.23

Activity 04/30/2004 12:52 PM Email: Sheri Hoyt >> Don Taylor

Can you please resend file "*Identifying information withheld at customer's request 2.21.pdf*"? My computer says it's damaged and cannot be opened.

Activity 04/30/2004 01:13 PM Email: Sheri Hoyt << DON TAYLOR

Resend of *Identifying information withheld at customer's request 2.1*.

Activity 05/03/2004 11:28 AM Email: Sheri Hoyt << Frank J. Kohler/fkohler@capitolco.com  
Tel West Requested Audio

Activity 05/03/2004 11:43 AM Action: Sheri Hoyt

I listened to the verification recording. The recording was made 11-21-03. The verifier asked Mr if his phone number was *Identifying information withheld at customer's request*. Mr said "It is, yes". The verifier stated the purpose of the call was to confirm his request to transfer local and long distance service to Tel West. Mr was directed to answer with a yes or no after each question. The verifier asked Mr if he is 18 years of age or older and authorized to make changes to the phone service. Mr said, "I am, yes." The verifier asked Mr if he was authorizing Tel West to provide his local phone service. Mr said "yes". The verifier asked Mr if he was authorizing Tel West to provide his instate long distance. Mr said "yes". The verifier asked Mr if he was authorizing Tel West to provide his state to state long distance. Mr said "yes". The verifier asked Mr if he was authorizing Tel West to provide his international calling. Mr said "yes". The verifier then said Mr had selected Tel West's Unlimited Plan, she named all the services provided, and stated the cost was \$47.99 a month plus the appropriate taxes and surcharges. The verifier stated Mr would receive a \$10.00 credit certificate with the welcome packet that can be used towards his first month's service. The verifier stated the installation charge would be waived if he canceled service within 30 days of installation or after 12 months. The installation charge is \$79.99. The verifier asked Mr for his date of birth to provide verification of his order. Mr said *Identifying information withheld at customer's request*. The verifier repeated it. Mr said yes. The verifier asked Mr how his name was to appear on the bill. Mr said *Identifying information withheld at customer's request*. The verifier asked Mr to provide his billing address. Mr said *Identifying information withheld at customer's request*. The verifier thanked Mr for his order. Stated Tel West would do a credit check and service would be installed within 30 days if he qualifies. Mr asked the verifier when service would kick in. The verifier stated within 20 days. Mr asked how he would know. The verifier told Mr he would need to call Tel West to get an exact date of installation. Mr said okay and the verifier thanked him for his order. The call ended.

Activity 05/03/2004 11:56 AM Email: Sheri Hoyt >> Mr

I am getting back to you regarding your complaint against Tel West Communications, LLC. (Tel West). You stated Tel West took your service without authorization. At my request, Tel West provided me a copy of the verification recording authorizing the switch. Could you please listen to the recording, provided in .wav format below, and tell me if it is you on the recording? ((Attached TPV recording))

Activity 05/03/2004 01:19 PM Email: Sheri Hoyt >> Don Taylor

I listened to the verification recording. I did not hear a LEC freeze discussed. When the customer filed this complaint, he stated an unauthorized LEC freeze prohibited transferring the service back to Qwest. Your initial response did not speak to it. I will be alleging one violation of WAC 480-120-147(5). Your response stated the billing name and address on the Tel West account is different than is filed with this complaint. The verification tape has the correct name spelling and address on it. I'm wondering how the customer was supposed to have received the bill when it was mailed to *Identifying information withheld at customer's request* up until the April 21 statement? Are there any notes on the account that the bills were returned by the post office?

Activity 05/03/2004 01:26 PM Email: Sheri Hoyt >> Qwest rolodex

Inquiry only. Customer states he placed an order with Qwest to port service back to it. However, the port was delayed due to an unauthorized LEC freeze placed on his service by Tel West. Can Qwest please tell me what date customer's service was ported away from Qwest, what date customer made his first request to winback to Qwest, and what date the port from Tel West to Qwest was completed?

Activity 05/03/2004 02:11 PM Email: Sheri Hoyt << Marilyn Spence

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Kathy Perry Cortwright will handle this

Activity 05/03/2004 02:55 PM Action: Sheri Hoyt

My notes for this investigation:

The date on the TPV recording is 11/21/03.

Customer's first bill was invoiced 2/21/04, due 3/12/04, \$165.23 total due.

The first bill includes Unlimited Calling Plan charges (monthly charges) for 12/22/03 to 02/20/04, in the amount of \$94.43.

The first bill included Unlimited Calling Plan charges for 2/21/04 to 03/20/04, in the amount of \$47.99.

The first bill was mailed to: C Cavanaugh, 28003, Seattle WA 98105.

Mr's name and mailing address, confirmed on the TPV recording, is: *Identifying information withheld at customer's request* When was the welcome package sent to customer? It was to include a \$10 credit certificate to be redeemed on first month's charges. When did customer request the LEC freeze be removed? When was the LEC freeze removed? Did customer ever call Tel West to inquire when his exact port date would be?

Activity 05/03/2004 03:05 PM Email: Sheri Hoyt << DON TAYLOR

I just received and listened to the TPV file for *Identifying information withheld at customer's request*, Complaint No. 88972, and I agree that the name and billing information are clearly stated at the end of the recording. I do not understand why the billing information was not applied properly to the account, but I am investigating to find out what the problem was and to correct it. I have asked if there were any returned bills and will advise when I have the information.

Activity 05/03/2004 04:16 PM Email: Sheri Hoyt << Kathy H Perry

Telephone Number: *Identifying information withheld at customer's request*

Summary of Customer Complaint: Alleged Slamming

Comments/Research/Solution:

I apologize for any inconvenience to our customer as it relates to a Winback in February 2004. Please see response to your inquiry as follows:

-12/22/2003 Order C41227798 ported customer to Telwest- order placed by James

-1/17/2004 James applied for service with Qwest

-2/5/2004 Winback to Qwest completed - order placed by James

Please let me know if you need any additional information. Thank You.

X Please Notify when ready to close.

Activity 05/03/2004 04:18 PM Email: Sheri Hoyt >> Kathy Perry/Qwest

Thank you for your quick response. Do Qwest's records indicate the winback was held up due to a LEC freeze?

Activity 05/03/2004 04:28 PM Email: Sheri Hoyt >> Don Taylor

I have some additional questions. I'm sorry I didn't include them in my last communication to you. I had some trouble opening the one file and had to send it to our IS department. I just got it back and was able to review the information provided.

1) The customer's first bill was invoiced on 2/21/04. It included monthly charges for 12/22/03 to 02/20/04, in the amount of \$94.43. It also included charges for 2/21/04 to 03/20/04, in the amount of \$47.99. Why was the customer not invoiced for charges in December and January earlier?

2) What date was the welcome package sent to the customer?

3) Qwest's records indicate customer's service was ported to Tel West 12/22/03 and that he requested a

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winback 1/17/04. Further, Qwest's records indicate the winback was completed 2/5/04. Was the delay in porting the service caused by the LEC freeze? It would appear he wished to cancel Tel West's service within the first 30 days of service, therefore, the \$79.99 installation fee should be waived. Why hasn't it been?

4) On what date did the customer request the LEC freeze be removed?

5) On what date was the LEC freeze removed?

I look forward to receiving your response to these questions as well as my earlier one about the address bills were sent to.

Activity 05/03/2004 04:35 PM Email: Sheri Hoyt << DON TAYLOR

I will investigate and reply as soon as I have the information you've requested.

Activity 05/04/2004 09:48 AM Email: Sheri Hoyt << Kathy H Perry

There are at least 2 notes advising of the need to remove local freeze. One on 1/19/2004 and the other on 2/2/2004. The order application date was 1/17 with a due date of 2/5/2004. The order completed on the original due date.

Activity 05/04/2004 09:49 AM Email: Sheri Hoyt >> Kathy Perry/Qwest

Thank you for the additional information. You may close this inquiry.

Activity 05/04/2004 02:59 PM Email: Sheri Hoyt << DON TAYLOR

Below are the answers to your questions in blue text.

1) The customer's first bill was invoiced on 2/21/04. It included monthly charges for 12/22/03 to 02/20/04, in the amount of \$94.43. It also included charges for 2/21/04 to 03/20/04, in the amount of \$47.99. Why was the customer not invoiced for charges in December and January earlier?

Response: Tel West was converting both its order processing and billing to new systems during this period of time, and there were conversion problems on some accounts, including this one. So unbilled charges from previous periods were rolled onto current bills.

2) What date was the welcome package sent to the customer? Response: Welcome Package was sent 12/22/03.

3) Qwest's records indicate customer's service was ported to Tel West 12/22/03 and that he requested a winback 1/17/04. Further, Qwest's records indicate the winback was completed 2/5/04. Was the delay in porting the service caused by the LEC freeze? It would appear he wished to cancel Tel West's service within the first 30 days of service, therefore, the \$79.99 installation fee should be waived. Why hasn't it been?

Response: Requesting a service transfer order with Qwest is not the same as requesting a freeze lift order with Tel West, which as mentioned below, did not occur until 1/26/04, more than 30 days after transfer to Tel West. However, Tel West agrees to waive the installation fee.

4) On what date did the customer request the LEC freeze be removed? Response: Customer ordered the line freeze removed on 1/26/04.

5) On what date was the LEC freeze removed? Response: Freeze lift order completed 1/31/04.

I look forward to receiving your response to these questions as well as my earlier one about the address bills were sent to. Response: Yes, there are notes on the account indicating a bill address verification problem, and the March bill was returned to Tel West. The April bill shows the correct street address and ZIP code, so the bill was delivered, even though the customer's name is spelled wrong and the city is incorrect.

Activity 05/04/2004 03:48 PM Email: Sheri Hoyt >> Don Taylor

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Thank you for your quick response. As it regards response 1: I will be citing 3 violation of WAC 480-120-161(1). Service with Tel West was initiated on December 22, 2003. However, Tel West didn't bill the customer until February 21, 2004. The customer was not given the opportunity to receive a bill in January 2004. Customers must be offered, at a minimum, the opportunity to receive billings on a monthly interval. In addition, the bills mailed on February 21, and March 21, 2004, were not mailed to the customer's address. Therefore, he was not given the opportunity to receive those bills either. As it regards response 3: Let's not forget that the customer wasn't aware an unauthorized LEC freeze had been placed on the service. He could hardly request something be removed within the first 30 days of service that he didn't know was there to begin with. It wasn't even mentioned during the TPV process. Until the order was rejected by Qwest, and Qwest communicated the problem to the customer, he had no knowledge that the winback would not go through as requested. Thank you for waiving the installation fee. Can you please provide me with a revised total amount due for this customer?

Activity 05/04/2004 03:58 PM Phone: Sheri Hoyt >> Mr

I called Mr. I asked him if he had received a copy of the verification recording. He said he has not opened his email yet. I reviewed the recording with Mr and asked him if he recalled making the verification. He said yes. I told Mr I was confused, as his complaint alleges slamming and he's now said he gave authorization. Mr said yes, however, he revoked it. A week after Mr went through the TPV process, Mr received another call from a different Tel West salesman. That the representative wasn't aware he'd been signed up made Mr nervous. He felt the company was less than upstanding. Mr told the representative that he didn't wish to take up the service. Afterwards, he received a form in the mail that said Tel West was proceeding with the port. Mr called Qwest and Tel West to request that his service not be transferred from Qwest. A week later, Mr received yet another form - exactly as the one before. Mr again called Tel West to state he did not want his service transferred from Qwest. Mr was again assured the service would not be transferred. Unfortunately, Mr did not write down the dates on which he called or the names of the Tel West employees he spoke with. I told Mr without those "records", I was unable to challenge Tel West's records. That although I believe he placed those calls to Tel West, I am unable to prove it through his records so I could not allege that the company took his service without authorization. Mr understood. I then went over the bills with Mr. I explained that the first bill was not mailed for two months after service was installed and that I had alleged a violation for the company failing to bill in one month intervals. In addition, I told Mr that the first two bills were mailed to an address that was not his. Two more violations were alleged. I told Mr that Tel West had agreed to remove the \$79.99 installation charge as he requested the winback to Qwest within the first 30 days of service. However, after those credits are applied and I've reviewed the final charges, I will have to uphold charges for service from 12/22/03 to 2/5/04. Mr said he would not have gotten that second month of charges if the LEC freeze hadn't been on the account. I told Mr that Qwest's records indicate the original due date for the winback was 2/5/04. Although I have cited a violation for the unauthorized LEC freeze, it does not appear to have delayed the port back to Qwest. It went through as scheduled originally. Mr understood. I asked Mr if he would like copies for his records of the bills Tel West has provided. Mr said yes. I told him I would get them in tomorrow's mail. Mr thanked me for my help.

Activity 05/04/2004 04:30 PM Email: Sheri Hoyt >> Don Taylor

I just spoke with the customer. Although he admits he gave the authorization in November 2003, to switch the service to Tel West, he states he called Tel West twice after receiving notification in the mail that the switch was going to go through. Both times he told the Tel West representative that he wished not to have Tel West's service. Both times he was assured Tel West would not take his service. The customer says he chose to cancel the request for service because he was contacted by a second sales

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representative about switching services to Tel West about a week after he was contacted the first time and agreed to switch. He felt Tel West was not a reputable company if there were two salesman contacting him and the second one was not aware he'd already agreed to sign up for the service. Unfortunately, Mr did not write down the date he called or the name of the representative he spoke to. Are there any notes in the customer's account to indicate he called to cancel his authorization? If he called before service was actually transferred to Tel West, how would a representative document that contact? And what would be done to cancel the service request?

Activity 05/04/2004 05:59 PM Email: Sheri Hoyt << DON TAYLOR

I calculate this customer's amount due as follows:

12/22/03 - 01/21/04: \$ 47.99

01/22/05 - 02/05/04: \$ 23.99 (15 days prorated)

Total Amount Owed: \$ 71.98

Unless you disagree, I will have Tel West issue a final bill in the amount of \$71.98 plus applicable taxes and surcharges.

Activity 05/05/2004 08:44 AM Email: Sheri Hoyt << DON TAYLOR

Once a customer agrees to transfer service and it is verified and recorded, an order is automatically entered into the provisioning system. Once that happens it is difficult to stop it until the order completes. I will investigate this process to see what we can do to make it easier to make changes to an order if a customer wants to change the details of the order, or wants to cancel. Also, until the order completes there is no actual account to record contact notes into, so if the customer calls Tel West to change or cancel, any notes the rep takes may not appear on the account once it is established. I will also see what can be done to address this problem. In this case, I will accept your assurance that the customer did try to cancel his order and was told by Tel West that the order would be canceled, and Tel West will therefore agree to waive all charges, including the \$71.98 I mentioned in the last message. Is this offer sufficient to satisfy the customer and close the complaint?

Activity 05/05/2004 08:46 AM Email: Sheri Hoyt >> Don Taylor

I believe the offer is more than sufficient. Thank you. I will contact the customer this afternoon and get back to you to close.

Activity 05/05/2004 01:00 PM Voice Mail: Sheri Hoyt >> Mr

Called Mr, left message that I relayed his phone conversations with the company to Tel West. It took him at his word and has waived all charges. His account has been closed with a zero balance and he does not owe for services provided. I stated I was closing the complaint and would mail him the bill copies he requested today. I provided my toll-free number should have have any questions.

Activity 05/05/2004 01:03 PM Email: Sheri Hoyt >> Don Taylor

This complaint is closed.

Activity 05/06/2004 08:55 AM Email: Sheri Hoyt << Ms

It is rare in the life to find someone who cares, and makes a difference. You are a wonderful lady , and my father said in all his years he has never come across anyone like you. My father was feeling helpless, and didn't believe the system was fair or just. You have renewed his belief that there is good in this world. I thank you from the bottom of my heart....

Activity 05/06/2004 09:05 AM Email: Sheri Hoyt >> Ms

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Thank you so much for your kind words. It's very nice to hear that. I am so pleased the Commission could help your father with his troubles with Tel West Communications. If he should have any further problems, please don't hesitate to contact us.