

In Tel West's Mitigation Request (pages 6-7), the company lists a number of complaints where the violations in Staff's report (and subsequent Commission penalties) exceed the violations cited by Staff within the informal complaints. The chart below shows, for these specific complaints, the number of violations noted in Staff's report (upon which penalties were assessed), the number of violations noted by Staff within the informal complaint, and the information provided by Staff to Tel West that states that each day a violation continues is a separate and additional violation.

| Complaint # | Date Opened or Date Information Requested | Date Company Was Required to Respond | Date Company Responded | # of Violations in Staff's Report | # of Violations Noted in Complaint | Information Provided by Consumer Affairs Staff<br>Re: Daily Violations  |
|-------------|---|--------------------------------------|------------------------|-----------------------------------|------------------------------------|---|
| 84316       | 7/10/03                                   | 7/15/03                              | 7/22/03                | 5                                 | 0                                  | Staff Sheri Hoyt sent an email to company representatives Chris Sturgul and Don Taylor on July 22, 2003. The email stated, in part, "...Tel West's response was due within two business days... I will be citing a violation each day that it is not received..." |
| 84816       | 9/30/03<br>12/22/03                       | 10/6/03<br>12/30/03                  | 12/22/03<br>1/12/04    | 53<br>8                           | 1<br>0                             | Staff Diana Otto sent an email to Mr. Sturgul on December 30, 2003. The email stated, in part, "I'm recording daily violations of this rule ...until...I receive the appropriate, complete, response."  |
| 85015       | 8/13/03                                   | 08/15/03                             | 8/25/03                | 8                                 | 5                                  | Staff John Cupp sent an email to Mr. Sturgul on August 19, 2003. The email stated, in part, "...I will note a violation of this WAC for each additional date that I don't receive a response."  |
| 86938       | 12/22/03<br>12/30/03                      | 12/29/03<br>1/5/04                   | 1/12/04<br>1/12/04     | 10<br>6                           | 1<br>1                             | Staff Diana Otto sent an email to Mr. Sturgul and Mr. Taylor on January 12, 2004. The email stated, in part, "I will...record daily violations for failure to respond until I receive a proper response..."   |
| 87780       | 2/18/04<br>3/12/04                        | 2/20/04<br>3/17/04                   | 2/27/04<br>3/22/04     | 5<br>3                            | 5<br>4                             | Staff Sheri Hoyt sent an email to Mr Sturgul and Mr. Taylor on March 19, 2004. The email stated, in part, "...I will continue alleging violations each  |

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|-------------|---|--------------------------------------|------------------------|-----------------------------------|------------------------------------|--|
|             |   |                                      |                        |                                   |                                    | business day until I receive a response.”  |
| 88188       | 3/12/04                                   | 3/17/04                              | 3/25/04                | 6                                 | 3                                  | Staff Sheri Hoyt sent an email to Mr. Sturgul and Mr. Taylor on March 19, 2004. The email stated, in part, “...I will allege one violation per business day until such time as I have received Tel West’s...response to this complaint.” |
| 88212       | 3/15/04<br>3/30/04                        | 3/22/04<br>4/2/04                    | 3/30/04<br>4/9/04      | 6<br>5                            | 1<br>2                             | None.  |
| 88214       | 3/15/04<br>3/31/04                        | 3/18/04<br>4/5/04                    | 3/30/04<br>4/9/04      | 8<br>4                            | 1<br>2                             | None.  |

