



Since 1957

NORSE HOME RETIREMENT CENTER

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November 28, 2005

Washington Utilities And Transportation Commission
 P.O. Box 47250
 1300 S. Evergreen Park Dr. SW
 Olympia, WA 98504-7250

FORMAL COMPLAINT REQUEST FOR BRIEF ADJUDICATIVE PROCEEDING

Complainant: Norse Home, a not for profit Washington Corporation
 5311 Phinney Avenue North
 Seattle, WA 98103
 Representative: Robert Solem, Administrator
 Tel: (206) 781-7415
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Against: AT&T
 Kansas City ALBCSC
 Attention: Telisha Fields
 Ref: 1573554-DTS
 Tel: (877) 212-7900
 e-mail: reliford@att.com

Procedural: It is requested that that this Complaint be assigned to the brief adjudicative proceeding pursuant to WAC 480-07-600 on the grounds that this dispute does not require participation by other than the parties, the issues are of limited scope, and a brief adjudication can fairly and expeditiously resolve the dispute.

Summary: This is a dispute over the validity of increased charges by AT&T after its unannounced discontinuance of the Norse Home Centrex service by its Seattle office. Service was then unilaterally shifted to AT&T's San Francisco office with a quadrupling of charges without any prior notification. Norse Home has continued to pay all normal charges, has obtained some concessions from AT&T, but approximately \$23,000.00 remains in dispute.

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Facts:

1. Norse Home is a retirement center serving the needs of the elderly in Seattle. We have approximately 140 residents and a staff of 95. Each resident and many staff offices have a phone provided by Norse Home through a Centrex system installed by TCG in 1999, which company was acquired shortly thereafter by AT&T. Service of the system was provided by the AT&T Seattle office and has been satisfactory through the years. The standard monthly bill for these services has been approximately \$4,000.00 per month and we have continued to pay this amount during the dispute.
2. Bills are normally received 3 to 4 weeks after the billing period. The September, 2004 bill was an overwhelming document that was our first notification that service had been discontinued by the Seattle office, transferred to San Francisco and rates increased with the amount claimed as due being quadruple that of any previous billing. It took many, many hours to analyze the billing documents and many calls to various company representatives to sort out the details. As here pertinent, the increased billing was due to two major factors:
 - A. An increase in the number of lines.
 - B. A retroactive increase in the line billing rates.
3. In fact, there had been no changes to the physical equipment and no additional lines were ever installed. After going through the several AT&T channels involved, this issue was resolved in favor of Norse Home and the billings for the phantom lines removed.
4. The billing rate was double that of the past and was also disputed. This too went through the various AT&T steps and their final decision was rendered on September 22, 2005, stating that "After a thorough investigation into the claim, it has been determined that no adjustment is warranted at this time." This leaves in effect their current billing of November 1, 2005, for \$23,162.47, all of that being attributed to the increased rates charged by the San Francisco office.
5. It should be noted that Norse Home, impelled in large part by the huge increases in the billings, discontinued its Centrex AT&T system in early 2005 and installed a new system utilizing Qwest as our local provider.

Discussion:

1. Notice of proposed increased charges or discontinuance requires a 30 day advance notice to individual customers. WAC 480-120-194. No such notice was provided to Norse Home. Likewise WAC 480-120-196 requires a separate notice to customers for an increase in rates or a material change of terms and conditions of service. No such notice was provided to Norse Home. The first billing with the grossly increased amounts does not satisfy the customer notice requirements. That invoice was so complex and confused in its presentation that it appeared obvious that a gross billing error had occurred. If proper notice had been given, steps would have been taken much earlier to seek new service rather than engaging in the numerous steps necessary to correct billing errors.
2. We have been unable to locate any pertinent tariff schedules for our service provided by AT&T. Invoices are designated "Enhanced Switched Services" and the Switched Services were identified as "Seattle Metro Area" and further identified as Analog Lines. The new invoices are identified in the same manner except substituting "San Francisco Metro Area" for Seattle Metro Area. The only AT&T posting is a Schedule 15 for Switched Digital Services, whereas Norse Home had an Analog Switched Services.
3. The services provided were adequate and the rates up to September 2004 were fair and reasonable. However the rates charged after the switch to San Francisco in September, 2004 were, it is submitted, were not fair or reasonable and were not adequately communicated to Norse Home.

Relief Requested:

An Order nullifying the charges asserted by AT&T for the telecommunication services provided to Norse Home in an amount in excess of the rates charged up to September 2004 identified as "Switched Services – Seattle Metro Area."

Respectfully Submitted,



Robert Solem
Administrator, Norse Home
Representative for Complainant

Certificate of Service

I hereby certify that I have this day served this document upon all parties of record in this proceeding, mail, properly addressed with first class postage prepaid.

Dated at 5311 Phinney Avenue North, Seattle, Washington, 98103, this 28th day of November 2005.

A handwritten signature in cursive script that reads "Robert Solan". The signature is written in black ink and is positioned below the date text.