

**ATTACHMENT C  
TO DECLARATION OF  
BETTY YOUNG**

**Complaint #90484**

Identifying information withheld at customer's request

Excel Telecommunications, Inc.

Since June 26 forward, terrible loud buzzing on line (I can hardly hear the customer speak). She has filed 3 trouble reports and each time there is no improvement. She said that Excel keeps blaming Qwest (who repairs the lines) for not getting this repaired. 2 miles of cable needs to be replaced, due date for repair of 8/20/04. Qwest has blamed the county for delaying repair saying it hasn't given permission to work in the area. The customer spoke with the county engineer about 1 week ago and Qwest hadn't even requested permission. Customer doesn't believe the work will be done by 8/20/04. Excel has agreed to credit the customer her service charges for June and July, but now August will need to be also. Why is this repair work taking so long and will it actually be corrected by 8/20/04? Please provide all pertinent information about this complaint - repair history, etc. Service effecting complaint.

8/17/04 9:25)passed to Excel via email.

Activity 08/17/2004 09:26 AM Email: Diana Otto << System Administrator

<<WA - UTC complaint 90484 for (customer)>> Your message

To: Regulatory Affairs  
Subject: WA - UTC complaint 90484 for (customer)  
Sent: Tue, 17 Aug 2004 11:25:45 -0500

was delivered to the following recipient(s):

Regulatory Affairs on Tue, 17 Aug 2004 11:26:00 -0500  
MSEXCH:MSEExchangeMTA:VarTec:SNCORMAIL08

Message-ID:  
<OFC97122CC.993F7B2E-ON88256EF3.005A35A2-88256EF3.005A6D7D@wutc.wa.gov>  
From: Diana Otto <dotto@wutc.wa.gov>  
To: Regulatory Affairs <Regulatoryaffairs@vartec.net>  
Subject: WA - UTC complaint 90484 for Howard P Smith  
Date: Tue, 17 Aug 2004 11:25:45 -0500  
Return-Receipt-To: Diana Otto <dotto@wutc.wa.gov>  
MIME-Version: 1.0  
X-Mailer: Internet Mail Service (5.5.2656.59)  
X-MS-Embedded-Report:  
Content-Type: text/plain; charset="iso-8859-1"

Activity 08/17/2004 10:02 AM Phone: Diana Otto << customer

Mrs called - left message on voice mail that it appears they are getting some action on the project today. Will Shimmel, a Qwest right away manager, was

Attachment C to  
Declaration of Betty Young - 1  
Docket No. UT-050713

just there. He said he was getting permission from the land owners to bury the new cable. Mr. Shimmel didn't know what caused the delay, but he was very nice. She told him she had called the Commission and he said that was probably the right thing to do. She's not certain whether she needs the complaint now or not, but she will leave it up to me.

(The complaint will remain open since it was already passed - for answer from Excel.)

Activity 08/19/2004 03:08 PM Email: Diana Otto << Monica Rodriguez

Ms. Otto,

Attached is a document submitted by Excel's repair department with all repair history for telephone number (number). Please note that on July 20, 2004, Excel was advised that it would take Qwest 30 days to replace the damaged cable.

[Tuesday, July 20, 2004 4:04:55 PM Magalis Correa Per Karen at Qwest spoke to Dave Scholl who is the supervisor for network operations at Cell 509-301-7210 and Off 509-529-0040 and he advised that this issue is pending for a construction crew to replaced two miles of cable. Per Dave this job would take about 30 days to be completed. Advised Mrs.(customer).]

The Company's repair technicians have been in contact with Qwest on August 11, 2004, August 12, 2004 and August 17, 2004 in an attempt to get updates on this issue. The due date given by Qwest is tomorrow, August 20, 2004; however, an update has not been given as to whether this commitment date will be met.

Many thanks!

Monica Rodriguez  
Regulatory Analyst  
mrodriguez@vartec.net  
214-424-4495

Please note that beginning June 7, 2004 through August 20, 2004, the Company's business hours will be 7:30 am to 5:30 pm Monday through Thursday and 8:00 am to 12:00 pm on Fridays.

NOTE: BELOW IS A PRINT-OUT OF THE ATTACHMENT:

TT-000000255090

Wednesday, June 23, 2004 1:34:21 PM Eric Morel  
Vendor Referral ID: VRF-00000150376  
Vendor Referred TO: Qwest  
Vendor Ticket Number: (number)  
Contact Phone Number: (number)

Attachment C to  
Declaration of Betty Young - 2  
Docket No. UT-050713

Commitment Date/Time: 06/24/04 19:00:00  
VR Status: Open  
VR Created: 06/23/04 13:33:55

Wednesday, June 23, 2004 1:34:50 PM Eric Morel  
CLEC LTRC

ISSUE: HUMMING  
MLT: HRD GROUND  
TEST CALL: HUMMING ON LINE  
ETA/ETR: 6-24-04 BY 7 PM (number)  
DISPATCH INFO: Qwest DPO

COMMENTS: Called customer and spoke to Mrs. (customer) and was advised that there needs to be a cable repaired.

Joseph w/Qwest repair will dispatch to the DMARC.

Called customer and the line is busy.

MLT Test Results: DC Resistance, Ground Fault

Friday, June 25, 2004 11:03:27 AM Eric Morel  
CLEC LTRC- NOISE- Amy w/Qwest repair advised this is still pre-assigned to tech for today. This is with cable. Called customer and spoke to Mrs. (customer)

Monday, June 28, 2004 10:14:50 AM Eric Morel  
CLEC LTRC- NOISE- Becky w/Qwest Repair advised this is with a tech for today.

Tuesday, June 29, 2004 3:44:47 PM Frank Devoe  
clec ltrc- 255090  
per the ilec repaired cable pair to restore service.

'TT Status' changed to Closed by Frank Devoe

TT-000000259160

Thursday, July 01, 2004 12:59:21 PM Magalis Correa

No duplicate reports.  
No provisioning issues exist.  
Test Call=Hum on the line  
MLT Results=Ground fault  
ILEC Contact=CEMR  
ILEC Trouble Report=Qwest  
ILEC Commitment=07/01/04 by 7:00 PM.  
Advised Mrs. (customer).

Attachment C to  
Declaration of Betty Young - 3  
Docket No. UT-050713

'TT Status' changed to Open by Magalis Correa

MLT Test Results: DC Resistance, Ground Fault

Thursday, July 01, 2004 5:31:42 PM Magalis Correa

Qwest resolution:

Qwest Trouble Report ID: 0236071

Customer Ticket Number:

Circuit ID: (number)

TR State: closed

TR Status: closedOut

TR Status Time: 2004-07-01 14:18:00

Outage Duration: 00 d, 02 h, 21 m, 00 s

Maint Service Charge: 0

Restored Time: 2004-07-01 14:18:00

Trouble Found: cancelExclude

Activity Duration: Non-Billable:Delayed Maintenance 00 d, 00 h, 00 m, 00 s

Non-Billable:No Access 00 d, 00 h, 00 m, 00 s

Non-Billable:Dispatch 00 d, 00 h, 00 m, 00 s

Comments: Disposition Code: 0650. Definition: Cancel Report. Cause Code: 600. Definition: Unknown

Customer cancelled report.

'TT Status' changed to Closed by Magalis Correa

TT-000000263856

Monday, July 12, 2004 1:59:26 PM a

cust called to report that she is still experiencing heavy static on the line; Ref to closed TT#255090 & TT#259160...This is has been going on for two and half weeks....cust is stating that ILEC Tech each time he comes out he is stating that there's a cable damage in the fields.....cust is requesting a tech to call her before closing the TT(s).....

Monday, July 12, 2004 4:20:48 PM Tracy Tran

Vendor Referral ID: VRF-00000156500

Vendor Referred TO: Qwest

Vendor Ticket Number: TN

Contact Phone Number: (number)

Appointment Date/Time: 07/13/04 19:00:00

VR Status: Open

VR Created: 07/12/04 16:19:49

Monday, July 12, 2004 4:22:59 PM Tracy Tran

No duplicate reports.

No provisioning issues exist.

Attachment C to

Declaration of Betty Young - 4

Docket No. UT-050713

Test Call= NA  
MLT Results=Ground  
ILEC Contact=QW  
ILEC Trouble Report=Justin  
ILEC Commitment=7/13 by 7PM  
Contacted customer and spoke to (customer) at TN. Advised of commitment & confirmed access is ok.

'TT Status' changed to Open by Tracy Tran

MLT Test Results: DC Resistance, Ground Fault

Wednesday, July 14, 2004 2:40:33 PM Frank Devoe  
this has been sent to the construction cable dept with qwest to get their repaired close referral with the ilec no new commit date or time to be repaired.

Friday, July 16, 2004 2:10:55 PM Mike Memmer  
\*\*\*\* The cust has lost DT \*\*\*\*\* She is going to start harvesting her crops and needs DT. She needs the phone if someone gets injured in the fields. The cell phone has very poor reception. The cust wants a call back on when the cable will be repaired.

Friday, July 16, 2004 2:12:26 PM Mike Memmer  
The cust said that the audio is one way. The caller can hear her but she can not understand the caller.

Friday, July 16, 2004 2:16:50 PM Mike Memmer  
If you need to contact the cust please leave a message at the contact ani.

Saturday, July 17, 2004 10:29:04 AM Frank Devoe  
Vendor Referral ID: VRF-00000158343  
Vendor Referred TO: Qwest  
Vendor Ticket Number: 0042538  
Contact Phone Number: na  
Appointment Date/Time: 07/19/04 19:00:00  
VR Status: Open  
VR Created: 07/17/04 10:28:32

Saturday, July 17, 2004 10:29:53 AM Frank Devoe  
elec- ltrc- 263856  
opened new tricket with qwest for new commit fort 07/19/2004 by 7pm..

Tuesday, July 20, 2004 10:01:16 AM Patty Jauregui  
cci stated ilec missed commit time req callback fr tec

Tuesday, July 20, 2004 4:04:55 PM Magalis Correa

Attachment C to  
Declaration of Betty Young - 5  
Docket No. UT-050713

Per Karen at Qwest spoke to Dave Scholl who is the supervisor for network operations at Cell 509-301-7210 and Off 509-529-0040 and he advised that this issue is pending for a construction crew to replaced two miles of cable. Per Dave this job would take about 30 days to be completed. Advised (customer).

Wednesday, August 11, 2004 7:09:09 PM Carlton Webb  
(Customer) wants to verify the status of the trouble ticket. ETR commit 08-20-04 by 5pm.

Thursday, August 12, 2004 11:28:58 AM Dayetta Johnson  
Cust ci to ck status of ticket,,,,,,,,,Adv of Etr 8-20-04 by 5pm

Tuesday, August 17, 2004 12:59:17 PM Tracy Tran  
Called and left msg for Dave to call back on this TR status.

Activity 09/01/2004 11:38 AM Phone: Diana Otto >> Monica

called Monica - left message asking if the cable has been repaired yet and if so, was the work completed on 8/20/04 as planned. I explained I would like this info prior to calling the customer.

Activity 09/01/2004 11:51 AM Email: Diana Otto << Monica Rodriguez

Hello, Diana,

It appears that the repairs were completed on 8/20 and that representative issued a credit in the amount of \$75.88 to (customer) account. Please let me know if you require any additional information.

Many thanks!

Monica Rodriguez  
Regulatory Analyst  
mrodriguez@vartec.net  
214-424-4495

Please note that beginning June 7, 2004 through August 20, 2004, the Company's business hours will be 7:30 am to 5:30 pm Monday through Thursday and 8:00 am to 12:00 pm on Fridays.

Activity 09/01/2004 12:00 PM Email: Diana Otto >> Monica

Monica, thanks. Would you please explain how the company arrived at the credit amount.

Thanks.  
Diana

Activity 09/08/2004 12:59 PM Email: Diana Otto >> Excel Complaints

Attachment C to  
Declaration of Betty Young - 6  
Docket No. UT-050713

Excel, I called Monica Rodriguez on 9/1/04 requesting additional information (see activity below). I have not gotten a response yet. I'm recording a violation of WAC 480-120-166(8) for failure to respond timely. Daily violations will be recorded until a response is received.

Thank you.  
Diana Otto

Activity 09/08/2004 01:19 PM Email: Diana Otto << Monica Rodriguez

Ms. Otto:

Please note that the \$75.88 credited to the account for telephone number (number) was for the period of July 12, 2004 and August 20, 2004 when (customer) was experiencing problems with his telephone line. I apologize for the delay in responding.

Kind Regards,  
Monica Rodriguez  
Regulatory Analyst  
214-424-4495

Activity 09/08/2004 03:42 PM Phone: Diana Otto >> customer

called customer - left message on recorder that the company advised that the line was repaired on 8/20/04 and it credited \$75.88 for July and Aug. service.

I could hear a humming still on the recorder, and mentioned in my message to the customer and stated that I'm assuming that's caused the recording the message prior to the line being repaired. However, if there is still a humming on the line to let me know. At this time, I'm closing the complaint, however, as resolved.

Further, I advised the customer that I'm leaving on vacation today at 4pm and won't return until 9/20. However, if she needs help to call before then and someone else will be able to help her by getting the process going for me while I'm away, if necessary.

closed.

Activity 09/08/2004 03:48 PM Email: Diana Otto >> Monica

Thanks, Monica.

I just left a message for the customer and it appears there is still a humming on the line, but it could be simply that her recorder has the hum from when she recorded it some time ago. Hopefully, that's the reason.

Attachment C to  
Declaration of Betty Young - 7  
Docket No. UT-050713



I'm going to close this as resolved today, but have left it up to the customer to call me again if the problem still exists.

Thanks for you help.

Diana

Activity 09/09/2004 08:53 AM Email: Diana Otto << Monica Rodriguez

Diana,

The Company respectfully requests that any violation associated with this complaint be waived. Is there any way that this can be done?

Thank you,

Monica

214-424-4495

Activity 09/09/2004 10:18 AM Phone: Pam Smith >> customer

customer called, the service is not fixed. When she called I could hear the buzzing. I told I would leave a msg. for Diana.

Activity 09/09/2004 10:20 AM Email: Diana Otto << Pam Smith

Mrs. called, phone is not working, see activity.

Activity 09/20/2004 12:40 PM Email: Diana Otto >> Monica Rodriguez

Monica, on what grounds would you have the violation waived, please?

Diana

Activity 09/20/2004 12:42 PM Email: Diana Otto >> Pam

Pam, so the company has not been notified that the phone was working all this time I've been on vacation? I don't see that you, or anyone, notified the company. Had the customer reported it to the company?

Diana

Activity 09/20/2004 01:44 PM Email: Diana Otto << Pam Smith

I did not notify the Co. I don't know if the customer call the Co. Pam-

Activity 09/20/2004 02:48 PM Phone: Diana Otto >> customer

called Mrs - still loud humming on line, but we were able to converse over it

Attachment C to

Declaration of Betty Young - 8

Docket No. UT-050713

this time. Mrs said the company ground laid the cable and has told her that they need easement across 3 properties before it can be buried. She is concerned that it won't get buried before bad weather sets in and then she will have to terrible service for months more.

I explained that even ground laid cable should not have the hum on it and I don't think burying it could make it less noisy. I told her I will contact the company and attempt to find out what's being done now to clear up all the noise on her line and when a permanent fix will be done.

Activity 09/20/2004 03:44 PM Email: Diana Otto >> Monica Rodriguez

Monica, the customer called me while I was on vacation on 9/9/04 and left a message that her line still isn't clear. I spoke with her today and she still has a hum on her line, but we were at least able to hear each other this time. However, the hum is way to distracting. She said someone had been out and land laid a cable and told her that easements need to be achieved prior to burying it. However, I still don't think the loud hum should be on the line. It's very annoying and I don't think burying the cable will make the hum go away. Please investigate why the hum is on the line and when a permanent non-noisy line will be installed for this customer.

Finally, winter is not far off in her regional area. It won't be long before burying it won't be an option until spring. The company will hopefully keep that in mind in the schedule of getting this line buried. I do know, that easements can be troublesome to come by, however, and can slow up the process.

Please let me know what you find out. I'm reopening the complaint today.

Diana

Activity 09/27/2004 09:09 AM Phone: Diana Otto << Mrs

customer called - left message with Nancy P. that her trouble continues and to please call her. Cable on ground.

Activity 10/04/2004 02:14 PM Phone: Diana Otto >> customer

called customer - ring no answer

Activity 10/04/2004 02:21 PM Email: Diana Otto >> Monica Rodriguez;  
cc, Nicole Mizell; Excel Complaints  
email address.

Monica, I have no had a response to my 9/20/04 email to you about this re-opened complaint, so I'm cc'ing Nicole Mizell and another address I have for Excel complaints to be passed to in hopes I will get a response. This is a service effecting complaint, therefore a response should have been given to me

Attachment C to  
Declaration of Betty Young - 9  
Docket No. UT-050713

within 2 business days. I will be recording a violation of WAC 480-120-166(6) for failing to respond timely.

The customer's line quality was not corrected and the cable is still laying on the ground, so it appears the complaint was not resolved when we originally closed it on 9/8/04, afterall.

Please find out what is going on to get this problem resolved permanently. Please advise me no later than 10/6/04 to avoid daily violations of the WAC 480-120-166(6).

Thank you.  
Diana Otto

Activity 10/04/2004 02:25 PM Email: Diana Otto << System Administrator

<<WA - UTC complaint 90484 for (customer)>> Your message

To: Monica Rodriguez  
Cc: Nicole Mizell; Regulatory Affairs  
Subject: WA - UTC complaint 90484 for (customer)  
Sent: Mon, 4 Oct 2004 16:22:59 -0500

was delivered to the following recipient(s):

Nicole Mizell on Mon, 4 Oct 2004 16:23:21 -0500  
MSEXCH:MSEExchangeMTA:VarTec:SNVICMAIL01

Message-ID:

<OFAD65FA79.03A574FC-ON88256F23.0074B446-88256F23.00756C7A@wutc.wa.gov>

From: Diana Otto <dotto@wutc.wa.gov>

To: Monica Rodriguez <MRodriguez@vartec.net>

Cc: Nicole Mizell <nymizell@vartec.net>, Regulatory Affairs  
<Regulatoryaffairs@vartec.net>

Subject: WA - UTC (customer)

Date: Mon, 4 Oct 2004 16:22:59 -0500

Return-Receipt-To: Diana Otto <dotto@wutc.wa.gov>

MIME-Version: 1.0

X-Mailer: Internet Mail Service (5.5.2657.72)

X-MS-Embedded-Report:

Content-Type: text/plain; charset="iso-8859-1"

Activity 10/04/2004 02:25 PM Email: Diana Otto << System Administrator

<<WA - UTC complaint 90484 for (customer)>> Your message

Attachment C to  
Declaration of Betty Young - 10  
Docket No. UT-050713

To: Monica Rodriguez  
Cc: Nicole Mizell; Regulatory Affairs  
Subject: WA - UTC complaint 90484 for (customer)  
Sent: Mon, 4 Oct 2004 16:22:59 -0500

was delivered to the following recipient(s):

Regulatory Affairs on Mon, 4 Oct 2004 16:23:21 -0500  
MSEXCH:MSExchangeMTA:VarTec:SNCORMAIL08

Message-ID:

<OFAD65FA79.03A574FC-ON88256F23.0074B446-88256F23.00756C7A@wutc.wa.gov>  
From: Diana Otto <dotto@wutc.wa.gov>  
To: Monica Rodriguez <MRodriguez@vartec.net>  
Cc: Nicole Mizell <nymizell@vartec.net>, Regulatory Affairs  
<Regulatoryaffairs@vartec.net>  
Subject: WA - UTC complaint 90484 for (customer)  
Date: Mon, 4 Oct 2004 16:22:59 -0500  
Return-Receipt-To: Diana Otto <dotto@wutc.wa.gov>  
MIME-Version: 1.0  
X-Mailer: Internet Mail Service (5.5.2657.72)  
X-MS-Embedded-Report:  
Content-Type: text/plain; charset="iso-8859-1"

Activity 10/04/2004 02:25 PM Email: Diana Otto << System Administrator

<<WA - UTC complaint 90484 for (customer)>> Your message

To: Monica Rodriguez  
Cc: Nicole Mizell; Regulatory Affairs  
Subject: WA - UTC complaint 90484 for (customer)  
Sent: Mon, 4 Oct 2004 16:22:59 -0500

was delivered to the following recipient(s):

Monica Rodriguez on Mon, 4 Oct 2004 16:23:21 -0500  
MSEXCH:MSExchangeMTA:VarTec:SNVICMAIL01

Message-ID:

<OFAD65FA79.03A574FC-ON88256F23.0074B446-88256F23.00756C7A@wutc.wa.gov>  
From: Diana Otto <dotto@wutc.wa.gov>  
To: Monica Rodriguez <MRodriguez@vartec.net>  
Cc: Nicole Mizell <nymizell@vartec.net>, Regulatory Affairs  
<Regulatoryaffairs@vartec.net>  
Subject: WA - UTC complaint 90484 for (customer)  
Date: Mon, 4 Oct 2004 16:22:59 -0500

Attachment C to  
Declaration of Betty Young - 11  
Docket No. UT-050713

Return-Receipt-To: Diana Otto <dotto@wutc.wa.gov>

MIME-Version: 1.0

X-Mailer: Internet Mail Service (5.5.2657.72)

X-MS-Embedded-Report:

Content-Type: text/plain; charset="iso-8859-1"

Activity 10/05/2004 09:15 AM Phone: Diana Otto << customer

customer called - left message with Pam S. that she service is still has static. Mrs is very frustrated.

Activity 10/05/2004 10:29 AM Phone: Diana Otto >> customer

called customer - Advised her that I am attempting to get a response from the company. That it hasn't responded since I re-opened it. I've recorded a violation for late response already, and daily violations will be recorded if I don't have a response by 10/6. She said she has had to disconnect her answering machine because there is so much static you can't tell what's being said on it. This is a big problem for her because they are a seed company. Clients can not get a hold of them.

Mrs said that a Qwest tech told her that the easement has been secured so she knows that is not the hold up.

I told her I was very sorry about this and hope to have further info for her as soon as possible.

Activity 10/05/2004 12:12 PM Email: Diana Otto << Monica Rodriguez

Ms. Otto,

According to the information Excel received from Qwest, the repairs were completed on September 27, 2004. As such, the Company closed the trouble ticket associated with telephone number (number). I spoke with (customer) today to clarify what in fact was done when the repair technician from Qwest visited the premises. She indicated that on one of the visits the easements were completed; however, she confirmed that the cables remained unburied. I have contacted the repair department to escalate this problem with Qwest who, unfortunately, has not given us accurate information since the onset of this issue. I advised (customer) that I will update you regarding the information I received from repair and from Qwest. Please note that (customer) will also be receiving additional credit for the remaining period of the unsatisfactory service.

Many thanks!

Monica Rodriguez

Attachment C to  
Declaration of Betty Young - 12  
Docket No. UT-050713

Regulatory Analyst  
mrodriguez@vartec.net  
214-424-4495

Activity 10/05/2004 12:42 PM Email: Diana Otto >> Monica Rodriguez

Monica, thank you for responding and getting the ball rolling on this again. Please let me know when this problem is fixed and the amount to be credited at that time.  
Diana

Activity 10/12/2004 09:50 AM Phone: Diana Otto << customer

customer called - left message with Nancy P. that the line is still fuzzy and to please call her.

Activity 10/12/2004 10:25 AM Phone: Diana Otto >> Monica

called Monica - left message that Mrs left me another message this morning that the line is still not repaired - still fuzzy. Please let me know what's happened on this repair since 10/5, when I last heard from her.

Activity 10/12/2004 10:28 AM Phone: Diana Otto >> customer

called customer - line busy.

Activity 10/12/2004 12:05 PM Phone: Diana Otto >> customer

called Mrs - her line was very bad - static and noise and it comes sort of in drifts. It will clear up for a few seconds and then be bad for a 30 or 40 seconds and do that over and over. She said she was called someone this morning about 9:20 a.m. and it was so bad neither party could hear the other. The phone was useless. She and her husband, especially, are very frustrated and wanted to know what the next step could be. I explained about a formal complaint. I told her I will continue to work with the company, but explained I have no way of forcing the company to fix it. The phone is not actually out of service, but is usable most of the time - therefore the 2 day rule to repair doesn't fit the situation.

She asked if she has to continue to pay for the service. I told her that Monica had advised me that additional credits will apply until the repair is satisfactorily repaired. She was grateful for that, but advised me that the company had sent her a disconnection notice. She had to call it and complain advising she should have a credit. The company did correct the account and said to throw away the notice. She didn't, she said, just in case. She was nervous about it. I asked her to let me know if she gets another late notice.

Attachment C to  
Declaration of Betty Young - 13  
Docket No. UT-050713

I told her I had contacted Monica today and hopefully will hear something else soon.

Activity 10/14/2004 08:25 AM Phone: Diana Otto << Monica Rodriguez

Monica called - said taht Qwest advised Excel that it completed the repairs Oct. 6, and closed the ticket Oct. 7. She does not know what else needs to be done. Please call her.

Activity 10/19/2004 08:35 AM Email: Diana Otto >> Monica Rodriguez

Monica, I got your voice message about not being sure what else to do for the customer, if I understood you correctly. Has Qwest tested the line again? I think that's what needs to be done. Let me know if I'm missing your point, but I can't think what else can be done except for Qwest to go out there and check the line again. I spoke with the customer and the line is terrible.

Thanks.  
Diana

Activity 10/20/2004 03:48 PM Phone: Diana Otto << Mrs

Mrs called - the line was so bad we could barely talk. She said somebody left a note on her door with a telephone number to call her - something to do with inside wiring. She isn't sure who left the note. I explained that on Tues. I had advised Excel to send somebody out again to find out what is wrong and get it fixed. That's probably a Qwest note, but we don't know for sure. She agreed to call the number on the note and figure out what's going on.

I explained that I was kind of waiting for Excel to bring up inside wiring and I explained that's her responsiblity, but if she has the company come in - there will be a charge. She should ask what the charge will be first, and she authorize the charge. I explained she can work on her own inside wiring, or hire whomever she wants. She said the Qwest tech was in there in June and tested all over and found no problem. She wonders, if because the line is ground laid, that maybe an animal has chewed on the new line already, or perhaps there is water in it.

I explained that the company has 3 days to respond to me and I only sent the additional email yesterday, but that I would contact Excel again anyway.

She also said last Friday she was on the phone with Excel and the rep said she sounded like she needed repair and said she would transfer her which she did. However, after being on hold for 15 minutes, the line went dead.

Activity 10/20/2004 04:04 PM Email: Diana Otto >> Monica Rodriguez

Attachment C to  
Declaration of Betty Young - 14  
Docket No. UT-050713

Monica, the customer called again today and her line is simply terrible. It is unacceptable that this customer has had to have terrible service for so long. Also, she was speaking with Excel last Friday, she told me, and the rep noted that she sounded like she needed repair, and of course, Mrs agreed. The rep transferred her to repair where she sat on hold for 15 minutes and then the line went dead. This customer is rightly frustrated. The line is not buried yet - perhaps an animal has chewed on it or perhaps water has seeped in. I do not know, but it is ridiculous that she has had to wait for such an extremely long time for a clear line.

Please forgive my frustration. I don't mean that you personally have any control over this, but I'm imploring that someone get the line permanently fixed. The next step is a formal complaint and the customer is inquiring about that next step out of frustration.

Thanks for any help you can assist with.  
Diana

Activity 10/20/2004 04:25 PM Phone: Diana Otto << Mrs

Mrs called - said she called the number on the note she found and it was somebody in Dallas Tx that Monica apparently contracted with to go out and check the inside wiring this Friday (10/22). She said hold it, what will that cost me. The man said there would be not cost to her, that Excel was paying for it. She asked him if he was coming from Dallas? He said no, he had people in the field that would find her home and do the work.

She's worried that she will get billed for this work. I told her I would send this info to Monica to let her know what she's been told and hopefully, this will finally, get resolved.

Activity 10/20/2004 04:31 PM Email: Diana Otto >> Monica Rodriguez

Monica, Mrs. just called again. Said she called the number on a note left on her door and it was a man from Dallas, TX, who said that someone named Rodriguez (I assumed you) had contracted with his company to come and check the inside wiring. She asked him what that would be costing her (because I had warned her about inside wiring costs) and he said Excel would be paying for this, not her. He said he had someone in her area that would be there on Friday. I want to advise you of this conversation Mrs had with this person from Dallas.

As usual, I will be out of the office on Thursday and Friday. If you need to get anything straightened out with the customer about this, please call her. I hope you will be able to hear her and she you, if you need to call her.

Attachment C to  
Declaration of Betty Young - 15  
Docket No. UT-050713



Thanks for taking care of this for the customer and me.  
Diana

Activity 11/02/2004 02:31 PM Phone: Diana Otto << Mrs

Mrs called - said sometimes can't even get dialtone on line now. Called me from her sister's.

She said that man she spoke with from Texas, Rodriquez, if she remembers right, whos said he was sending a man out locally to check her inside wiring, never called for directions per agreement, nor showed up.

Some cable work was done, she thinks it was on a Friday, but the crew had to quit because they broke a water line. The line was fixed, but the crew has never returned. The service is worse than ever.

She told me it is 2 to 3 miles of cable that the crew was attempting to bury. She is frustrated.

I thanked her for calling me because its the only thing I'm hearing. Nothing from the company.

She thought that her line was disconnected for nonpayment because she couldn't get dialtone, but then later she could get it now and then. She said that she thought the company had to send a notice before disconnecting also. I explained, yes it did, but that she shouldn't pay her bill anyway because she has been promised credits until this corrected.

I said I would again contact the company, but encouraged her to call me and keep me informed because the company isn't.

Activity 11/02/2004 02:59 PM Email: Diana Otto >> Monica

Monica, what is going on with this customer's service, please? I just spoke with the customer and she no dialtone now from time to time. She thought she had been disconnected. She is not paying her bill because she can't use the phone and because you promised credits through the time it takes to fix the line. However, none of us expected it would take this long.

She said the guy from Texas she spoke with and I advised you of, said he was sending out someone to check inside wiring, but no one has ever come.

A cable crew did come out and was burying the cable, but hit a water line and broke it and stopped work. The water line has been fixed, but the crew has never returned. I'm wondering why the cable is being buried when the service is so bad. Once it's buried, how will the company ever find out where the

Attachment C to  
Declaration of Betty Young - 16  
Docket No. UT-050713

problem is. Shouldn't the weak spot be found first, then bury the cable.

Anyway, please re-confirm that this customer is not going to be expected to pay for service. And, please confirm a time-line for the fix on this. What exactly is being done to find the problems on this line. Again, remember, this customer has had this problem since 6/26/04. That's now over 4 months without her customers being able to reach her and without her being able to call out without extremely loud buzzing, static, etc. on the line, if not totally without dialtone.

Please test the line for quality performance standards and report the findings to me no later than Friday, Nov. 5, 2004.

Thank you.  
Diana

Activity 11/02/2004 03:00 PM Email: Diana Otto << System Administrator

<<WA - UTC complaint 90484 for (customer)>> Your message

To: Monica Rodriguez  
Subject: WA - UTC complaint 90484 for (customer)  
Sent: Tue, 2 Nov 2004 16:59:48 -0600

was delivered to the following recipient(s):

Monica Rodriguez on Tue, 2 Nov 2004 16:00:05 -0600  
MSEXCH:MSEExchangeMTA:VarTec:SNVICMAIL01

Message-ID:  
<OF2381AD90.2B8C526D-ON88256F40.007CC0E0-88256F40.007E4F1B@wutc.wa.gov>  
From: Diana Otto <dotto@wutc.wa.gov>  
To: Monica Rodriguez <MRodriguez@vartec.net>  
Subject: WA - UTC complaint 90484 for (customer)  
Date: Tue, 2 Nov 2004 16:59:48 -0600  
Return-Receipt-To: Diana Otto <dotto@wutc.wa.gov>  
MIME-Version: 1.0  
X-Mailer: Internet Mail Service (5.5.2656.59)  
X-MS-Embedded-Report:  
Content-Type: text/plain; charset="iso-8859-1"

Activity 11/09/2004 12:44 PM Phone: Diana Otto << customer

customer called - left message to call her.

Attachment C to  
Declaration of Betty Young - 17  
Docket No. UT-050713

Activity 11/09/2004 12:47 PM Phone: Diana Otto >> customer

called customer - she said that Qwest was out and hooked up the cable and he told her how to hook up a phone outside at the sni and she did and the noise is still on the line. It appears it is not an inside wiring problem.

She said that Qwest got the cable all buried now.

The quality is better, but not totally right. I got a little echo when I was talking with Mrs; there is still a buzzing on the line for both the customer and I. Not as loud, but clearly still there and more loud than it is quiet.

Customer asked if she should pay the bill? I said no. She said it is for \$54.64, due 10/23. She said she was given the \$75.88 credit and doesn't think it should be used up yet, but she deserves additional credit now.

NOTE: I DON'T KNOW WHY THE CUSTOMER WOULD SHOW AN AMOUNT OWING AT ALL AFTER THE CREDIT - SAYS SHE DOESN'T HAVE MUCH OF A PHONE BILL NORMALLY.

I advised the customer that the company has not been responding to me for some time. I will call my contact and attempt to speak directly with her instead of through email at this point.

Activity 11/09/2004 01:17 PM Email: Diana Otto >> Monica Rodriguez

Monica, I informed you of continuing trouble with the customer's service on 10/19/04. I have had no response from you since. On 10/20/04, I again informed you with additional information. On 11/02/04, I once again e-mailed you and requested specific information from you no later than 11/05/04. To date, I have had no response from you. I could record daily violations of WAC 480-120-166(8) from 10/25/04 forward for failing to respond within 3 business days after my request. However, I'm not going to, but instead I'm going to record violations from 11/8/04 instead and give you another opportunity to reply. However, from yesterday forward, I will continue to record violations daily until a complete response is received.

I spoke with the customer again today. The cable has now been buried, but the line still has a buzzing on it, better than it was, but still clearly there. There is also a slight echo I hear when I'm talking to her that I don't hear when talking with other consumers. The Qwest tech that buried the cable explained to Mrs how to check for inside wiring problems by plugging in a phone outside at the SNI. Mrs did this and found the trouble still on the line. It doesn't appear the inside wiring is at fault at this point.

Finally, the customer was given a \$75.88 credit when we closed the complaint. However, she has a bill of \$54.64 which was due 10/23, which I don't understand. Why if she was given a credit does she have a balance owing on her

Attachment C to  
Declaration of Betty Young - 18  
Docket No. UT-050713

bill. She didn't think she had used up the \$75.88 yet, which to me says it never showed on her bill. Also, the customer was promised by you through me, that additional credits would be forthcoming until the trouble was cleared. I've told the customer not to pay the bill at this time because the charges are in dispute. I don't think she should be charged for the service at all. It was basically useless until today, when I could at least hear her and she could hear me over the buzzing, but the buzzing is still there, just the same.  
Diana

Activity 11/09/2004 01:57 PM Email: Diana Otto << Monica Rodriguez

Diana,

The information I received back from repair confirms that the inside wire maintenance was done and that the problem did not stem from the inside wiring and that the cable has been buried. I have contacted repair again to request information as to how we may proceed at this point. Please note that the inside wire maintenance fee still reflects on the account, although I indicated it would be waived. I will process a request to get it credited. Also, I will be preparing a formal response regarding the additional credits requested by the Commission. I do apologize for the ongoing issue and regret the unintentional delay, as it would be beneficial to all involved parties that this is resolved as soon as possible. I also appreciate your alert.

Respectfully submitted,  
Monica Rodriguez  
Regulatory Analyst  
214-424-4495

Activity 11/09/2004 04:16 PM Email: Diana Otto >> Monica Rodriguez

Monica, thanks for responding.

The customer states that no inside wire maintenance was done. No one was inside her house. Are you meaning that the network performance standards test was done, and if so, what were the test readings, please?

Thank you.  
Diana

Activity 11/10/2004 06:32 AM Email: Diana Otto << Monica Rodriguez

Hi Diana,

Repair has scheduled appointment with the ILEC technician to check outside by 7 p.m. today. Also, I requested information regarding the iwm- as far as date, and test readings. I'll forward the results along to you.

Thanks!

Attachment C to  
Declaration of Betty Young - 19  
Docket No. UT-050713

Monica

Activity 11/10/2004 11:17 AM Phone: Diana Otto << customer

Mrs called - left message on voice mail that her long distance has been cut and she doesn't know whether to call the company or not. She said she knows she should still have a credit coming. Doesn't understand this and wants advice.

Activity 11/10/2004 12:53 PM Phone: Diana Otto >> Monica Rodriguez

called Monica - left message on voice mail that customer's long distance has been cut off. Please check into it and let me know what she finds out.

Activity 11/10/2004 12:56 PM Phone: Diana Otto >> Mrs

called Mrs - line busy

Activity 11/10/2004 12:58 PM Phone: Diana Otto >> Mrs

called Mrs - she said the Qwest tech was at the house right then. She said she thought they had it figured out. She said she thinks she will find out what she owes, pay it and go back to Qwest. She's weary, of course, of the problem. I told her I doubt she will owe anything due to credits pending, but my contact at Excel did contact me again, and is planning on getting me the credit amount. I'll get back to her then.

Activity 11/11/2004 01:52 PM Email: Diana Otto << Monica Rodriguez

Diana,

I just recieved notice from repair that an ILEC technician went out to look at the outside facilities yesterday and closed the ticket advising that is an inside wire issue. I am still awaiting report on the status of the inside wire findings. Also, the long distance block was removed today! I'll continue to forward my findings upon their receipt.

Thank you!

Monica

Activity 11/15/2004 08:32 AM Email: Diana Otto >> Monica Rodriguez

Monica, why was the long distance service disconnected, please? On what date was it disconnected and on what date was it restored?

Diana

Activity 11/15/2004 08:48 AM Email: Diana Otto << Monica Rodriguez

Attachment C to  
Declaration of Betty Young - 20  
Docket No. UT-050713

Diana,

The block was activated on November 9, 2004 due to nonpayment and was removed on November 11, 2004. Please note that a hold has been placed on account until credit adjustments have been posted.

Thanks!  
Monica

Activity 11/15/2004 08:52 AM Email: Diana Otto >> Monica Rodriguez

Monica, I will be recording a violation of WAC 480-120-172(12) for disconnecting the customer while she was pursuing remedy to the problem.

The customer did not receive any advance notice of an impending disconnection of service, to my knowledge. Please provide how notice was given, on what dates, for what \$ amounts, and the due dates.

Diana

Activity 11/15/2004 08:58 AM Email: Diana Otto << Monica Rodriguez

Diana,

The long distance service was not disconnected, her Id was blocked. Please note that a block only blocks her from using our long distance service, she is not prohibited from using other long distance service, nor is he denied placing any local calls.

Thanks!  
Monica

Activity 11/15/2004 09:04 AM Email: Diana Otto >> Monica Rodriguez

Monica, in Washington state, if a customer is blocked from using her long distance, it is considered a disconnection of that service and our disconnection rules apply. Were notices given? If so, please provide the requested information. If not, I will be recording violations of certain rules which I will explain to you after receiving your answer.

Thanks.  
Diana

Activity 11/15/2004 10:22 AM Phone: Diana Otto << Mrs

Mrs called - said that she has a final notice of disconnection and wonders if she should pay it. I told her no, Monica is holding credit until the credit amounts is resolved.

Attachment C to  
Declaration of Betty Young - 21  
Docket No. UT-050713

Mrs said that according to what she hears, the line is clear now after Qwest removed the handset on her fax machine. Qwest told her that was not the original problem, however. It was the 2nd problem. I told her I still hear noise on the line, but not nearly so bad. She doesn't hear it at all. I suggested she ask other people she speaks with on the phone if they hear the noise also. She said she did get a paper from Qwest (I believe via mail) that said the trouble ticket is now closed.

Mrs said she wants to go back to Qwest at this point.

I told her I will call her again as soon as I know the final amount owing.

Activity 11/15/2004 10:34 AM Email: Diana Otto >> Monica Rodriguez

Monica, when will we have a final credit amount to post on this account? The customer advised me today that she has a final disconnection notice from Excel. She would like to know what she really owes once credits have applied. Then she will pay in full if there is any balance owing.

Diana

Activity 11/17/2004 09:36 AM Email: Diana Otto << Monica Rodriguez

Diana,

The final credit will total \$150.00 for the months of August, September, and October 2004. I have placed this account on hold until the adjustments post which should be within the next one to two billing statements. Her current balance is \$116.90. As such, (customer) will have a bill of approximately \$30.00 once the adjustment is posted.

Thanks

Monica

Activity 11/17/2004 09:39 AM Email: Diana Otto >> Monica Rodriguez

Monica, don't you mean the customer will have a credit balance of \$33.10 if the credit is \$150 and she only owes \$116.90?

Diana

Activity 11/19/2004 11:39 AM Phone: Diana Otto << customer

customer called - left message on my voice mail that she hadn't heard from me, but expected to so she was calling. She understands now that I'm away from the office (on vacation). She said she would be leaving on Friday for about two weeks. Just wants to know what's happening on her phone, but stated that she knows I'm on top of it.

Attachment C to  
Declaration of Betty Young - 22  
Docket No. UT-050713

Activity 11/22/2004 10:02 AM Email: Gail Griffin-Wallace >> Excel

This customer advises her service has been one-way denied. Records show that this customer has an open complaint. Restore service immediately and respond to Diana Otto who is servicing this complaint.

Activity 11/22/2004 10:09 AM Email: Gail Griffin-Wallace << System Administrator

<<WA - UTC request 90484 for (customer)>> Your message

To: Monica Rodriguez  
Subject: WA - UTC request 90484 for (customer)  
Sent: Mon, 22 Nov 2004 12:09:16 -0600

was delivered to the following recipient(s):

Monica Rodriguez on Mon, 22 Nov 2004 12:09:36 -0600  
MSEXCH:MSExchangeMTA:VarTec:SNVICMAIL01

Message-ID:

<OF5A73E044.6BE4184F-ON88256F54.0063B1B3-88256F54.0063CDED@wutc.wa.gov>

From: Gail Griffin-Wallace <ggriffin@wutc.wa.gov>

To: Monica Rodriguez <MRodriguez@vartec.net>

Subject: WA - UTC request 90484 for (customer)

Date: Mon, 22 Nov 2004 12:09:16 -0600

Return-Receipt-To: Gail Griffin-Wallace <ggriffin@wutc.wa.gov>

MIME-Version: 1.0

X-Mailer: Internet Mail Service (5.5.2656.59)

X-MS-Embedded-Report:

Content-Type: text/plain; charset="iso-8859-1"

Activity 11/24/2004 11:15 AM Phone: Nancy Paulson << customer

Customer's service is one-way denied. She is leaving on vacation 11/26 for two weeks. She wants her service to be restored by the time she returns. She wants to pay her bill but is uncertain how much to pay. She may call you from Florida. Feel free to call her on cell.

Activity 11/30/2004 12:10 PM Email: Diana Otto >> Monica Rodriguez

Monica, I emailed you on 11/17/04 with a question about the credit and then the balance owing. I've gotten no response which was due on 11/22/04. I am recording violations of WAC 480-120-166(8) for failing to response timely. To date, there are 5 violations being recorded for the 5 business days you are now late, through yesterday.

Attachment C to  
Declaration of Betty Young - 23  
Docket No. UT-050713



Then while I was away, Gail from our office spoke with the customer on 11/22 who said that her service had been one-way denied. Gail then emailed Excel and instructed that the service be restored immediately due to the complaint being open and to contact me to confirm. To date, I've had no response. I'm again recording a violation of WAC 480-120-166(8) for failing to respond to me per the request made by Gail, which would have been due no later than 11/25/04. This is two more violations through yesterday. Further, I am recording a violation of WAC 480-120-172(8) for restricting the customer's service while the complaint was under investigation.

Total violations being recorded today is 8 and additional violations for lack of response will be recorded daily until a proper response is received. Your attention to this will be very much appreciated.

Diana

Activity 11/30/2004 12:13 PM Email: Diana Otto << Monica Rodriguez

Diana,

Attached is the response I forwarded to you on 11/17/04 regarding the credits.

Thank you,  
Monica

Activity 11/30/2004 01:53 PM Email: Diana Otto >> Monica Rodriguez

Monica, there is no attachment that I can find. Please resend it. Thanks.  
Diana

Activity 11/30/2004 01:57 PM Email: Diana Otto << Monica Rodriguez

Diana,

I've attached it once more. I can also fax you a copy of the email if it does not go through again. Also, I unfortunately do not have a copy of the email sent to me by Gail. I am not sure if I did not receive correctly, but please resend if possible.

Thank you!  
Monica

Activity 12/02/2004 02:16 PM Email: Diana Otto << Monica Rodriguez

- Smith.Howard.delayinrepair.sus.creditrequest.wutc.doc

NOTE: BELOW IS A PRINT OUT OF THE ATTACHMENT:

Attachment C to  
Declaration of Betty Young - 24  
Docket No. UT-050713

December 2, 2004

VIA EMAIL ON DECEMBER 2, 2004

Ms. Diana Otto  
Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive South West  
Olympia, Washington 98504-7250

Re: Customer (customer Telephone Number (number)  
Complaint Number 90484

Dear Ms. Otto:

Excel Telecommunications, Inc. ("Excel") has conducted a thorough investigation into the issues raised by the Washington Utilities and Transportation Commission ("Commission") in correspondence to the Company regarding the above-noted customer's complaint. It is Excel's intent that the information provided herein will satisfactorily address the Commission's concerns as they relate to (customer) and the Company.

The Commission indicated in correspondence to Excel that the customer has reported that there continues to be static on the line for telephone number (number). Internal records indicate that the underlying carrier reported repair visits to the customer's premises on September 28, 2004, October 6, 2004, October 22, 2004 and November 10, 2004. Internal records further indicate that a repair technician from the underlying carrier reported on November 10, 2004 to Excel that the static issues were not due to problems associated with the Company's equipment; rather, the technician reported that the noise is due to the facsimile machine and therefore, stems from the customer's equipment. Further, please note that the customer has reported issues regarding delay in the burial of the telephone cables since June 2004; however, due to delays and miscommunication with the underlying carrier, said cable was not buried until August 20, 2004. Excel sincerely apologizes for the delays in resolving the customer's concerns.

In a previous effort to resolve this matter, the Company issued an adjustment in the amount of \$75.88 to the account for telephone number (number) for the period of July 2004 to August 2004, during which time (customer) did not have adequate telephone service. Said adjustment appeared on the billing statement dated September 7, 2004. In a further effort to resolve this matter, Excel is issuing an additional adjustment in the amount of \$150.00 to the above-noted account to fully credit charges assessed for the months of September 2004 through November 2004, pursuant to the Commission's request. This adjustment will appear on one of the customer's next two billing statements.

Finally, internal records indicate that the local telephone service for telephone number (number) was errantly suspended on November 22, 2004, although charges assessed to the account for the above-noted telephone number were in dispute. Please note that the Company restored service for telephone number (number) on December 1, 2004 and has waived the \$20.00 fee associated with the restoration of said service.

Attachment C to  
Declaration of Betty Young - 25  
Docket No. UT-050713

Excel apologizes for any inconvenience this matter may have caused and sincerely appreciates the opportunity to address and respond to (customer) concerns regarding the Company. Please direct any questions or comments regarding this correspondence to the undersigned directly at (214) 424-4495.

Respectfully submitted,

Monica Rodriguez  
Regulatory Analyst

cc: Nicole Mizell  
Regulatory Analyst II

REGULATORY CREDIT REQUEST  
DIRECT BILLED  
EXCEL LOCAL

To: Carol Even  
From: Monica Rodriguez  
Date: December 2, 2004

---

Customer: (customer)  
Telephone Number: (number)  
Account Number: (number)  
Check Amount: \$150.00

The Commission indicated in correspondence to Excel that the customer has reported that there continues to be static on the line for telephone number (number). Internal records indicate that the underlying carrier reported repair visits to the customer's premises on September 28, 2004, October 6, 2004, October 22, 2004 and November 10, 2004. Internal records further indicate that a repair technician from the underlying carrier reported on November 10, 2004 to Excel that the static issues were not due to problems associated with the Company's equipment; rather, the technician reported that the noise is due to the facsimile machine and therefore, stems from the customer's equipment. Further, please note that the customer has reported issues regarding delay in the burial of the telephone cables since June 2004; however, due to delays and miscommunication with the underlying carrier, said cable was not buried until August 20, 2004.

Attachment C to  
Declaration of Betty Young - 26  
Docket No. UT-050713

In a previous effort to resolve this matter, the Company issued an adjustment in the amount of \$75.88 to the account for telephone number (number) for the period of July 2004 to August 2004, during which time (customer) did not have adequate telephone service. Said adjustment appeared on the billing statement dated September 7, 2004. In a further effort to resolve this matter, Excel is issuing an additional adjustment in the amount of \$150.00 to the above-noted account to fully credit charges assessed for the months of September 2004 through November 2004, pursuant to the Commission's request.

Signature: \_\_\_\_\_

Activity 12/03/2004 09:35 AM Phone: Diana Otto << (name)

customer's daughter, (name), called - left message on voice mail to call her @ (number).

Activity 12/07/2004 11:34 AM Phone: Diana Otto >> (name)

called (name) - she said her Mom had asked her to call me to find out status since she's away from home. I explained to her that the company has advised me that it restored the service on 12/1/04 and that it has given her an additional \$150 credit, plus they waived the restoral fee of \$20. Total savings to Mrs, along with the first credit of \$75.88 = \$245.80. I informed her that the credits will show up over the next two months on her bills.

(name) said her husband and son had been at her Mom's house and had called her from there, so it does appear the service was restored. She thanked me for helping.

I advised her I will be closing the complaint, once again, but if her Mom has further problems, or the credits do not appear, to have her call me.

Activity 12/07/2004 12:42 PM Email: Diana Otto >> Monica Rodriguez

Monica, I have closed this complaint (again) with the customer's daughter. I've advised her of the additional credits of \$150, plus the \$20 restoral fee that is being waived, for a total savings to the customer of \$245.88. Her husband was at her Mom's house and was able to use the phone, so it is confirmed service is working again, as you indicated it should have been on 12/1/04.

I've recorded all the violations that have been recorded on this complaint, which are many. I believe I've told you of all of them except the most recent in which I recorded an additional 10 violations of WAC 480-120-172(12) for not restoring the service for 10 days following being told that Excel had disconnected the customer's service in error on or before 11/22/04. The service should have been restored immediately and why it took 10 days, I can't

Attachment C to  
Declaration of Betty Young - 27  
Docket No. UT-050713

imagine.

I think Excel needs to take a good look at the violations recorded through-out this complaint in the text below. At this point, I consider the notification of these violations as education and training of the company on our rules. In the future, Excel needs to be mindful of the rules. Continual violations after training and education, may result in our recommendation for monetary penalties. It is not our goal, but could be recommended if it appears the company is not willing or is unable to follow Washington Administrative Codes.

Sincerely,  
Diana Otto  
Consumer Program Specialist

NOTE: THE COMPLETE TEXT OF THE COMPLAINT, INCLUDING VIOLATIONS, WERE COPIES IN FOR MONICA HERE.

Activity 12/13/2004 08:30 AM Phone: Diana Otto << Mrs

Mrs called - left message with Nancy that she can now make out going calls, but no long distance still. Received final notice for \$116.59. Where is her credit of \$240?

Activity 12/13/2004 02:09 PM Phone: Diana Otto >> customer

called customer - left message on voice mail that I was told her long distance was restored and that her credits would show up over the next two billings. I can't imagine why she doesn't have long distance still. I will look into that. Further, what is the date of the final notice? I'm wondering if it was sent prior to my finalizing the complaint with my contact at Excel on 12/7. I asked that she call me before 3pm today because I'm in a meeting from 3 to 4:30, or call me tomorrow after 8am.

Activity 12/13/2004 02:16 PM Phone: Diana Otto >> Monica Rodriguez

called Monica - left message on voice mail that the customer still doesn't have long distance service, and I don't understand why not. Please find out what is going on and call me back. I explained I will be in the office until 3pm - then out for meetings until 4:30 and back in the office at 8am pacific time tomorrow.

I further explained that it appears the company is in violation of our rules yet again for not restoring service if it is the company's fault, so please take that into consideration in getting the customer's service restored.

Activity 12/13/2004 02:24 PM Email: Diana Otto >> Monica

Attachment C to  
Declaration of Betty Young - 28  
Docket No. UT-050713

Monica, I just left you a voice mail on this complaint we closed for the second time. Please listen to it, if you haven't already, and get back with me.

Thanks.

Diana

Activity 12/13/2004 02:49 PM Phone: Diana Otto << Monica Rodriguez

Monica called and deeply apologized. She said she asked the company to remove the block today, before the end of the day. Also, she said the credits have applied and so there should not be any action by the company on the notice. I thanked her and said I would call the customer.

Activity 12/13/2004 02:51 PM Phone: Diana Otto >> customer

called customer - left message advising her of my discussion with Monica and to call me in the morning if her long distance isn't unblocked. Credits have posted to account - ignore the disc. notice.

Activity 12/14/2004 09:08 AM Phone: Diana Otto << customer

Mrs called - left message that she will call again.

Activity 12/14/2004 12:15 PM Phone: Diana Otto << customer

called Mrs - she hasn't tried her long distance yet, so isn't sure whether it is working or not. However, this evening she will and if I don't hear from her everything is alright.

She advised me she received a bill for \$8.00 or so which shows about a \$102 credit. She understood me to say the credit might appear on the next two bills, so she will watch for the next one. I advised her to watch her bill to make sure she isn't charge a restoral fee of \$20, unless she also sees it credited. She is going to pay her \$8 bill and understands when the rest of the credits appear it will just show a credit balance probably which will be fine.

The line does sound clear now. Mrs thanked me once again for helping her.