

August 17, 2009

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504-7250

RE: Mashell Telecom, Inc. ETC Certification and Report; UT-091189-CT

Via Email: JLie@utc.wa.gov

Dear Ms. Washburn:

Pursuant to a request by Commission Staff, Mashell Telecom, Inc. hereby substitutes Report No. 5 as follows:

Report 5: WAC 480-123-070(4): The Company reports that during the calendar year 2008, the Company did not receive from the Federal Communications Commission any complaints against the Company made by the Company's customers. The Company reports that during the calendar year 2008, the Company did receive two customer complaints from the Consumer Protection Division of the Office of the Attorney General of the State of Washington (file #329873 and 320052) which were resolved timely and have since been closed by the Consumer Protection Division.

Complaint #329873 alleged a consumer was billed beyond the contractual obligations on his account, and the consumer requested a refund of amounts paid to settle the account balance. As an Internet Service Provider, the Company bills in advance for services. Once the initial contract term expires, the contract automatically renews unless the Company is contacted by the consumer to discontinue services. During the month the consumer complains service should have been terminated due to contract expiration, the consumer's account continued to be accessed. The Company refunded the balance requested by the consumer in an effort to appease the customer; however, the company maintains the billing was legitimate.

Complaint #320052 stated a consumer found his personal information on one of the more popular search engines, yahoo.com, by searching for his name. The spreadsheet contained the name, address, and phone numbers of what appeared to be the Company's entire consumer base. The Company was aware of this incident as Mr. Schuerman filed a complaint via our Internet web form, the same date he filed with the Attorney General's Office. Our customer service manager attempted to search for Mr. Schuerman's name at several Internet search engines in order to verify his report but was unable to find the link he referred to. However, she alerted the rest of our management team and a network technician was asked to locate the file on one of our web servers and remove it immediately. The file in question was the only material located on the server that could be considered sensitive material, and the file did not contain information that would facilitate identity theft or otherwise compromise anyone financially. Mr. Schuerman was contacted within days of the incident and assured that the file had been removed. The Company apologized for the error and asked him what we could do to resolve his concern. He told the Company that if the file was in fact removed, he would be satisfied. After a



thorough investigation, the Company was unable to determine how the file came to be located on a computer where it could be indexed by a search engine. The Company considers the privacy of our customers to be of the highest importance and it is our strict policy not to share information about them with anyone. We routinely conduct training of all staff members that regularly work with customer records regarding protection of that information.

Sincerely,

A handwritten signature in black ink that reads "Danielle Clausen".

Danielle Clausen
Controller

