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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

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April 20, 2004

TIMOTHY J. O'CONNELL
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VIA U.S. MAIL

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250

Re: *Glick v. Verizon Northwest*
WUTC Docket No. UT-040535

Dear Ms. Washburn:

Enclosed for filing in the above-referenced docket is an original and eight copies of Answer to Formal Complaint. We have also enclosed a face page and stamped, self-addressed envelope for you to return to us as a conformed copy. Thank you for your assistance in this regard.

Sincerely,

A handwritten signature in cursive script that reads "Veronica Moore".

Veronica Moore
Secretary for Timothy J. O'Connell

Enclosures

cc: Jeffrey D. Glick (w/encls.)

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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Formal Complaint of
JEFFREY D. GLICK, Complainant,
v.
VERIZON NORTHWEST, INC.,
Respondent.

UT 040535

ANSWER TO FORMAL COMPLAINT

Respondent Verizon Northwest, Inc., (“Respondent”) answers the Formal Complaint for Administrative Relief seeking compensatory relief, an order to show cause, and administrative penalties (the “Complaint”) by complainant Jeffrey D. Glick (“Glick”) by admitting, denying, and alleging as follows:

1. Answering the allegations contained in Paragraph 1, Respondent is without sufficient knowledge to form a belief as to the truth of the allegations, and therefore denies the same.

2. Paragraph 2 asserts a legal conclusion and does not warrant a response. Notwithstanding the foregoing, Respondent denies the same.

3. Paragraph 3 contains no allegations to admit or deny and does not warrant a response. Notwithstanding the foregoing, Respondent denies the same.

ORIGINAL

ANSWER TO FORMAL COMPLAINT - 1

1 4. Answering the allegations contained in Paragraph 4, Respondent admits that Mr.
2 Glick contacted GTE on or about October 26, 1999 to establish telephone accounts. Respondent
3 is without sufficient knowledge to form a belief as to the truth of the remaining allegations, and
4 therefore denies the same.

5 5. Answering the allegations contained in Paragraph 5, Respondent admits that Mr.
6 Glick placed Order Nos. C-4596198; I-4560572; and I-4546870. Respondent is without
7 sufficient knowledge to form a belief as to the truth of the remaining allegations, and therefore
8 denies the same.

9 6. Answering the allegations contained in Paragraph 6, Respondent admits that on or
10 about October 28, 1999, a summary of business services ordered by Mr. Glick was mailed to Mr.
11 Glick. Respondent is without sufficient knowledge to form a belief as to the truth of the
12 remaining allegations, and therefore denies the same.

13 7. Answering the allegations contained in Paragraph 7, Respondent admits that Mr.
14 Glick complained about the handling of his orders. Respondent further admits that Marian
15 Gallentine became involved in resolving Mr. Glick's concerns regarding his orders. Respondent
16 is without sufficient knowledge to form a belief as to the truth of the remaining allegations, and
17 therefore denies the same.

18 8. Answering the allegations contained in Paragraph 8, Respondent denies those
19 allegations.

20 9. Answering the allegations contained in Paragraphs 9, 10, and 11, Respondent is
21 without sufficient knowledge to form a belief as to the truth of the allegations, and therefore
22 denies the same.

23 10. Answering the allegations contained in Paragraph 12, Respondent admits that Mr.
24 Glick sought assistance from Respondent's customer relations representative Darcie Cooper.
25 Respondent is without sufficient knowledge to form a belief as to the truth of the remaining
26 allegations, and therefore denies the same.

ANSWER TO FORMAL COMPLAINT - 2

1 11. Answering the allegations contained in Paragraph 13, Respondent is without
2 sufficient knowledge to form a belief as to the truth of the allegations, and therefore denies the
3 same.

4 12. Answering the allegations contained in Paragraph 14, Respondent admits that
5 Respondent offered Mr. Glick credit to compensate him for the charge for a call forwarding
6 feature. Respondent specifically denies that Ms. Cooper hung up on Mr. Glick. Respondent is
7 without sufficient knowledge to form a belief as to the truth of the remaining allegations, and
8 therefore denies the same.

9 13. Answering the allegations contained in Paragraph 15, Respondent admits that Mr.
10 Glick sent a letter to Ms. Gallentine voicing his concerns. Respondent is without sufficient
11 knowledge to form a belief as to the truth of the remaining allegations in Paragraph 15, and
12 therefore denies the same.

13 14. Answering the allegations contained in Paragraphs 16, 17, and 18, Respondent is
14 without sufficient knowledge to form a belief as to the truth of the allegations, and therefore
15 denies the same.

16 15. Answering the allegations contained in Paragraphs 19 and 20, Respondent admits
17 that on or about September 7, 2001, Mr. Glick complained to Ms. Gallentine about his belief that
18 Respondent had offered him insufficient compensation. Respondent is without sufficient
19 knowledge to form a belief as to the truth of the allegations regarding Mr. Glick's motivation for
20 pursuing a refund, and therefore denies the same. Respondent denies all remaining allegations
21 contained in Paragraphs 19 and 20.

22 16. Answering the allegations contained in Paragraphs 21, 22, 23, and 24, Respondent
23 is without sufficient knowledge to form a belief as to the truth of the allegations, and therefore
24 denies the same.

25 17. Answering the allegations contained in Paragraph 25, Respondent admits that a
26 representative indicated that Mr. Glick could contact the Washington Utilities and Transportation

1 Commission with his complaint. Respondent is without sufficient knowledge to form a belief as
2 to the truth of the remaining allegations contained in Paragraph 25, and therefore denies the
3 same.

4 18. Answering the allegations contained in Paragraphs 26, 27, and 28, Respondent is
5 without sufficient knowledge to form a belief as to the truth of the allegations, and therefore
6 denies the same.

7 19. Answering the allegations contained in Paragraph 29, Respondent admits that on
8 or about September 21, 2001, Ms. Gallentine sent Mr. Glick a letter. The letter, attached at
9 Exhibit 3 to the Complaint, speaks for itself. Respondent denies all remaining allegations in
10 Paragraph 29.

11 20. Answering the allegations contained in Paragraph 30, Respondent denies that any
12 of its employees withheld material facts. Respondent is without sufficient knowledge to form a
13 belief as to the truth of the remaining allegations contained in Paragraph 30, and therefore denies
14 the same.

15 21. Answering the allegations contained in Paragraph 31, Respondent denies that its
16 employees made false or misleading statements to the police. Respondent is without sufficient
17 knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 31,
18 and therefore denies the same.

19 22. Paragraph 32 asserts a legal conclusion and does not warrant a response.
20 Notwithstanding the foregoing, Respondent denies the allegations contained in Paragraph 32.

21 23. Answering the allegations contained in Paragraphs 33 and 34, Respondent is
22 without sufficient knowledge to form a belief as to the truth of the allegations, and therefore
23 denies the same.

24 24. Answering the allegations contained in Paragraph 35, Respondent admits that on
25 or about September 20, 2001, Mr. Glick faxed Respondent a letter. The letter, attached at
26 Exhibit 1 to the Complaint, speaks for itself. Respondent further admits that Respondent has

ANSWER TO FORMAL COMPLAINT - 4

1 received no additional bill adjustments than the \$36.00 adjustment referenced. Respondent
2 denies all remaining allegations contained in Paragraph 35.

3 25. Answering the allegations contained in Paragraph 36, that paragraph amounts to
4 an assertion of law and warrants no response. Notwithstanding that response, Respondent denies
5 Mr. Glick's characterization of Respondent's actions. Respondent further denies that Exhibit 2
6 to the Complaint supports the allegations contained in Paragraph 36. Respondent denies all
7 remaining allegations contained in Paragraph 36.

8 26. Answering the allegations contained in Paragraphs 37 and 38, Respondent is
9 without sufficient knowledge to form a belief as to the truth of the allegations regarding Mr.
10 Glick's communications with the WUTC, and therefore denies the same. Respondent is without
11 sufficient knowledge to form a belief as to the truth of the remaining allegations contained in
12 Paragraph 37, and therefore denies the same.

13 27. Answering the allegations contained in Paragraphs 39, 40, 41, 42, and 43,
14 Respondent admits that on or about September 21, 2001, Ms. Gallentine faxed a letter to Mr.
15 Glick. The letter is attached at Exhibit 3 to the Complaint and speaks for itself. Respondent
16 further admits that Mr. Glick faxed a response letter on or about September 24, 2001. That letter
17 is attached at Exhibit 2 to the Complaint and likewise speaks for itself. Respondent denies all
18 conflicting and remaining allegations contained in Paragraphs 39, 40, 41, 42, and 43.

19 28. Answering the allegations contained in Paragraphs 44, 45, and 46, Respondent is
20 without sufficient knowledge to form a belief as to the truth of the allegations and therefore
21 denies the same.

22 29. Paragraphs 47, 48, 49, and 50 assert legal conclusions and do not warrant a
23 response. Notwithstanding the foregoing, Respondent denies Mr. Glick's characterization of the
24 law and Mr. Glick's application of the law to Respondent's business practices.

25 30. Answering the allegations in Paragraph 51, Respondent admits that in June 2003,
26 Mr. Glick asked Mr. Tate to process an executive complaint against Respondent. Respondent

ANSWER TO FORMAL COMPLAINT - 5

1 further admits that, on or about June 20, 2003, Mr. Tate sent Mr. Glick a letter. That letter is
2 attached at Exhibit 5 to the Complaint and speaks for itself. Respondent further admits that on or
3 about September 25, 2001, Ms. Gallentine sent Mr. Glick a letter. That letter is attached at
4 Exhibit 6 to the Complaint and speaks for itself. Respondent is without sufficient knowledge to
5 form a belief as to the truth of the remaining allegations contained in Paragraph 51 and therefore
6 denies the same.

7 31. Answering the allegations contained in Paragraph 52, Respondent denies Mr.
8 Glick's characterization of Respondent's conduct. Respondent is without sufficient knowledge
9 to form a belief as to the truth of the remaining allegations contained in Paragraph 52, and
10 therefore denies the same.

11 32. Paragraph 53 asserts a legal conclusion and does not warrant a response.
12 Notwithstanding the foregoing, Respondent denies Mr. Glick's characterization of the law
13 contained in Paragraph 53.

14 **AFFIRMATIVE DEFENSES**

15 Without assuming Complainant Mr. Glick's burden of proof on the issue, Respondent
16 sets forth the following affirmative defenses:

- 17 1. Complainant fails to state a claim upon which relief may be granted.
- 18 2. Complainant's claims are barred in whole or in part by the applicable statute of
19 limitations.
- 20 3. Complainant's claims are barred in whole or in part by the equitable doctrines of
21 unclean hands, estoppel, and laches.
- 22 4. Respondent at all times relevant hereto acted in good faith and/or as required by
23 regulations of the Commission in responding to Complainant's concerns.

24 **RELIEF REQUESTED**

25 WHEREFORE, Respondent requests the following relief:

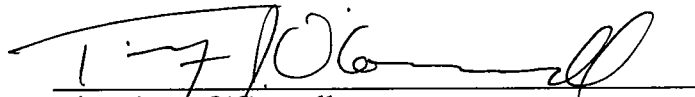
- 26 1. That the relief requested in the Complaint be denied;

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- 2. That the Complaint be dismissed with prejudice; and
- 3. Such other relief as may be reasonable and appropriate.

DATED: April 20, 2004.

STOEL RIVES LLP



Timothy J. O'Connell
Vanessa Soriano Power
Attorneys for Respondent
Verizon Northwest, Inc.