

FILE  
NC

6

07-147-TP-055



The Public Utilities  
Commission of Ohio

RECEIVED-DOCKETING DIV

2007 FEB 12 PM 3:16

GRUF011707YW  
Case Number

Public Utilities Commission of Ohio  
Attn: Docketing  
180 E. Broad St.  
Columbus, OH 43215

PUCO

Formal Complaint Form

GEORGE K. RUFENER  
Customer Name

65 AKRON ROAD  
Customer Address

WADSWORTH OH 44281  
City State Zip

Against

27 5450 2663058964 10  
Account Number

10049 HOMESTEAD DRIVE  
Customer Service Address (if different from above)

VERIZON  
Utility Company Name

WADSWORTH OH 44281  
City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

PLEASE SEE ADDITIONAL SHEETS  
I AM A CUSTOMER OF VERIZON  
VERIZON HAS PROVIDED INADEQUATE SERVICE BY  
PROVIDING A POOR, UNSAFE INSTALLATION AND POSSIBLY  
VIOLATED THE LAW

George K. Rufener  
Signature

CALL THIS ONE → HOME PHONE - 330-336-3851  
Customer Telephone Number  
AFFECTED PHONE NUMBER  
330-336-9381

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician Ann Date Processed 2/12/07

The Public Utilities Commission of Ohio  
Ted Strickland, Governor • Alan R. Schriber, Chairman  
Commissioners: Ronda Hartman Fergus, Judy A. Jones, Valerie A. Lemmie, Donald L. Mason  
180 E. Broad Street, Columbus, Ohio 43215-3793 • An Equal Opportunity Employer and Service Provider

Feb. 7, 2007

Ruth Griggs  
Compliance Investigator  
Service Monitoring and Enforcement Dept.

Case ID: GRUF011707YW

On August 24, 2006, as I was rototilling along side of a house I had purchased and took possession of on July 1, 2006, I accidentally cut some wires approximately three feet from the foundation. This house came with all underground utilities; electric, telephone, and cable TV. The house was two and a half years old, and was finish graded but had never had a lawn or foundation plants. I was working on putting in a lawn and foundation plants. I had used a good sized agricultural disc on the lawn area and didn't encounter any wires, and was now working next to the foundation where all the utilities; electric, telephone, and cable came up along side of the foundation in conduit, which went down into the ground. I didn't know about the "oops" number, but I probably wouldn't have called anyway, as I knew the utilities came up out of the ground at the foundation in that spot. I was being very careful not to let my rototiller go to its full depth, but to my surprise, I cut the telephone and TV wires, which upon examination were only buried under the surface by about 1 to 2 inches (see enclosed picture). This area along the foundation had not settled. As I investigated I discovered that the wires both came up out of the ground about 3 to 4 feet from the foundation; than ran back down into the ground at the foundation and entered the conduit to go back up the foundation to the network interface device. It was obvious that the installers had trenched from the pole over to within 3 or 4 feet of the house, didn't finish the trench to the foundation, but rather brought the wires up to the surface, ran them to the foundation, then down to the conduit. I call this shoddy, unsafe, and bad workmanship.

I called the Verizon number to report what had happened. The person I talked to, asked me if I had the inside wire maintenance plan. I told him I did but I had cut a wire outside. He told me Verizon would send a work crew out to fix the wire and if the problem was outside the interface device, there would be no charge.

Aug. 24, 2006 was on a Thursday. The work crew did not come until Tuesday Aug. 29, 2006. I was not there due to my wife having a chemotherapy treatment that day but the work crew fixed the wire and restored telephone service. I called Verizon on Aug. 30<sup>th</sup> and talked to the person I had talked to on Aug. 25<sup>th</sup>. I asked if there was any charge and he said no charge and referred me to the inside wire maintenance booklet, which defines what Verizon covers and what the maintenance plan covers. It reads on the first page, top of 2<sup>nd</sup> column (repair of the outside wiring up to and including the interface device are covered by the fee you pay for basic phone service)-----rest of sentence covers inside house.

I heard no more about this incident until Jan. 8, 2007 (more than four months later.) I received a bill from Claims Management Resources (CMR) which starts out "Demand for Payment" telling me this was a final demand and giving me 5 days to resolve this claim or CMR would "escalate" the claim. My wife called the person, Janell Johnson, and explained that we had

been told there would be "no charge" and we had not received and previous bills. Ms. Johnson claimed that we had been billed previously.

I called 1-800-483-4000 and talked to Sue, she is in the orders department. She said we hadn't been billed and there were no charges other than normal monthly billing. She recommended I talk to maintenance. I called 1-800-483-1000 and after explaining what I called for I was put on hold for over one hour only to finally be told everyone had went home for the day but someone would call me. No one called back.

On Jan. 11, 2007 I called again; talked to Laura who told me to call the local manager, Adam Ouley at 330-722-9493. Mr. Ouley told me if I had not called the number to get buried utilities marked with flags, I would have to pay the charges. When I explained I was right beside the house where the utilities went into the house, and that I knew they were buried there, but that in fact, they were not buried as deep as they should have been, he said that didn't make and difference, I would have to pay the bill since I didn't call the "oops" number.

In conclusion-----

In Verizon's brochure on inside wire maintenance it states "REPAIR OF OUTSIDE WIRING UP TO AND INCLUDING THE INTERFACE DEVICE, ARE COVERED BY THE FEE YOU PAY FOR BASIC PHONE SERVICE," and gives a diagram showing the outside wiring covered by Verizon which customers pay for in their monthly fee. (Copy of this brochure is enclosed). An accident such as this surely should be covered by this.

I believe it is Verizon's and any other utility's responsibility to bury their lines far enough below ground so normal planting of lawns and foundation plants will not uncover or damage their lines for safety reasons. In this case, they trenched to within 3 to 4 feet of the foundation, brought their line to the surface, ran it just under the surface, then down to the entrance to the conduit. As a home owner, I should be able to expect quality installation, and know that buried utilities are indeed "**buried**" all the way to the foundation.

George K. Rufener  
10049 Homestead Rd.  
Wadsworth, Ohio 44281

Present home phone 330-336-3851  
Affected residence phone 330-336-9381

**verizon**

**Inside Wire  
Maintenance Plan/  
Inside Wire  
Maintenance Plan  
Alternative Offer—  
Verizon West**

**verizon**

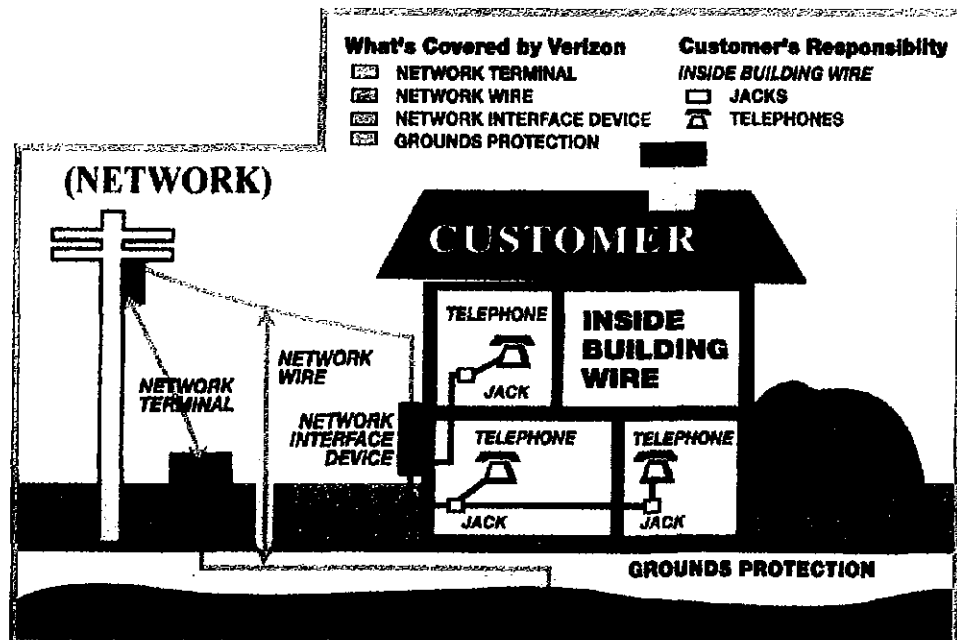
*We never stop working for you.*

20 01.75

Quoted rates subject to change.

You do not need to purchase wire maintenance service in order to obtain basic telephone service. If you purchase inside wire maintenance service, you may cancel it at any time.

**Limitation of Liability**  
**IN NO EVENT SHALL**  
**VERIZON BE LIABLE FOR**  
**INCIDENTAL,**  
**CONSEQUENTIAL OR**  
**SPECIAL DAMAGES,**  
**INCLUDING LOSS OF**  
**INCOME, PROFITS OR DATA.**



Please note that all references to Inside Wire Maintenance Plan also apply to Inside Wire Maintenance Plan Alternative Offer.

#### What Is the Verizon Inside Wire Maintenance Plan?

When you report a problem with your telephone wire or jacks inside your home or office, we know you'll want it fixed as soon as possible. With the Inside Wire Maintenance Plan (IWMP) from Verizon, we'll send an experienced technician to your home or office to fix the problem at no cost to you beyond the monthly charge for inside wire maintenance service.

Our Inside Wire Maintenance Plan is an OPTIONAL monthly service for residential and small business customers that provides repair protection for telephone jacks and wires inside the home or office.

Telephone lines connect to a Network Interface Device on your property. This interface device is often located on the outside wall of your home or another building on the property, such as a garage.

Repair of the outside wiring, up to and including the interface device, are covered by the fee you pay for basic phone service. From the interface connection point, telephone lines extend into the building, through the jacks where you plug in your phones.

This wiring, from the Network Interface Device to the jacks, is called "inside wire." IWMP covers repairs to this inside wire and the jacks. With IWMP, we will repair faulty jacks and inside wire at no additional charge.

For new customers, IWMP is effective as soon as new telephone service is turned on. For customers with existing phone service, IWMP is effective 30 days after it is ordered.

The IWMP Alternative Offer waives the 30 day waiting period, allowing you to get immediate inside wire and jack repair coverage by paying a one-time charge of \$39.95 and signing up for one year's coverage of IWMP. If you cancel the IWMP Alternative

Offer within the first year you will be assessed a \$50.00 cancellation charge.

What can possibly go wrong with my jacks or wire? Telephone wire and jacks have a long life. They last for many years and do not normally go bad just because of age. It is not possible to predict when or how frequently damage may occur. But many things, including everyday wear and tear, can damage the telephone wire or jacks inside your home. The charge you pay for basic phone service does not cover these repairs. If something does go wrong, it is your responsibility to get you wire or jacks fixed. With our Inside Wire Maintenance Plan, you'll never again pay for unexpected or expensive repairs to your jacks or inside wire. To subscribe to our Inside Wire Maintenance Plan call the telephone number listed on your monthly bill or refer to the Information Pages in the local Directory.

#### What Is Covered?

The Inside Wire Maintenance Plan includes these valuable benefits:

- Repair and/or replacement of any connected and previously working inside wire and jacks that develop service problems
- Coverage on all newly and properly installed or relocated standard telephone inside wire jacks
- Diagnostic work to determine where the problem is located.

*The plan does not include repair of the phone or other equipment, such as answering machines and computer modems, connected to the jacks, but does include letting you know if the problem is in the equipment so that you can have the equipment repaired.*

- Discounted labor rates to add new wiring and jacks. *(Discounted labor rates do not apply in California, Arizona and Nevada. Customers in these states pay standard rates for these services.)*

#### What Is Not Covered?

Inside Wire Maintenance Plan coverage does NOT cover:

- Repair of telephone instruments and other devices, such as computer modems and answering machines, connected to the inside wiring and jacks
- Inside wiring and jacks for marine activity, recreational vehicles (RVs) and construction trailers or other temporary or moveable structures
- Damage due to natural disasters, floods, or acts of God, other than lightning
- Repair of damage due to malicious activity, vandalism, riot or civil disturbance
- Verizon employees do not install new inside wire between walls of existing homes unless conduit is present. New inside wire will be mounted inside the premise externally on a wall following the floor molding and routed around door frames.
- Nonstandard wiring. This is wiring that does not meet telephone industry

standards or the National Electric Code Material Standards for carrying telephone signals. Nonstandard wiring may work in some situations, such as for single line service, but may not work properly in other situations, such as for two line service where you may get crosstalk.

*The plan will cover the repair of breaks to nonstandard wire, but only to restore the wire to its original condition. The plan does not cover replacement of nonstandard wire*

#### Hassle-Free Service

Our IWMP provides you reliable protection for only pennies a day. This charge applies for each telephone line in your residence or office. If you do not have the IWMP and you call us to make repairs, you will be billed at the standard repair rate. Currently this standard repair rate is approximately \$91 per 1/2 hour, and you will be billed for a minimum of 1/2 hour. All time beyond this first 1/2 hour minimum is charged at \$46 per 1/2 hour interval or any portion thereof.

Repairs can often be completed within one hour, but some repairs take longer, depending on the conditions at your home or office.

#### Notes

IWMP is an unregulated monthly service in all states except California and Arizona. This service can be canceled at any time. If you choose not to subscribe to IWMP, and your inside wiring or jacks break, you can still call us to do the repairs. You can also get inside wire maintenance and repair service from other companies. Or, if you prefer, you can do the work yourself.

If you rent your home, you should be aware that residential landlords may be responsible for repairs and maintenance of inside telephone wire. Check with your landlord or your lease to determine who is responsible for inside wire maintenance and repair.

In California, state law requires residential landlords to provide and maintain one working jack per residential unit.

IWMP is available to residential and single-line business customers on a per line basis. ISDN and other specialty lines are not eligible. The business rate may be different from the residential rate, and IWMP is not available on lines terminating at a key/PBX system. IWMP a regulated monthly service in California and Arizona.

Discounts on labor rates are not applicable in California, Arizona and Nevada.

# PICTURE OF THE VERIZON

## TELEPHONE LINE INSTALLATION AT 10049 HOMESTEAD RD. WADSWORTH, OHIO 44281

Cable goes back down into the ground to go into the conduit that takes it up the foundation to the network interface device



Cable travels just under the surface to the conduit

Cable comes up out of the trench  
About 3 feet from the foundation