

NC FILE

5

**TO:**

The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

The Better Business Bureau  
1169 Dublin Rd,  
Columbus, Ohio 43215

The Ohio Attorney General Office  
30 E. Broad St., 14th Floor  
Columbus, Ohio 43215

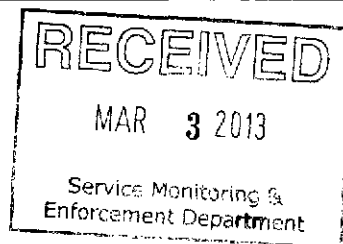
Windstream Communications  
226 N. 5<sup>th</sup> Suite 210  
Columbus, Ohio 43215

14-0372-TP-CSS

RECEIVED DOCKETING DIV  
2014 MAR -5 AM 10:19  
PUCO

**From:**

Bizcorp, LLC  
C/o John Chaffin, President  
1335 Dublin Road  
Suite 118-A  
Columbus, Ohio 43215  
Direct Line: 614-754-4963  
Cell: 614-314-0466  
Parent Account # 4450823



**Re:** Windstream Communications-Telecommunication Services

To Whom It May Concern:

On May 21, 2011 Bizcorp, LLC, the parent company of National Check Cashers, Always Payday, Prestige Eurocars, Always Approved Auto, Posin Fine Diamonds and Jewelry, and Superior Petroleum Equipment ("Bizcorp"), signed a "Memorandum of Understanding" with Paetec Communications Inc. for telecommunications services. Shortly thereafter Bizcorp received notice that Paetec had sold, assigned and/or merged their business ("Assignment") with Windstream Communications ("Windstream").

While it was represented to Bizcorp at the time of the Assignment that Windstream could and would properly service Bizcorp's account, since the time of the transfer of service to it, Bizcorp has had chronic delays and interruption in its telecommunication services and is still experiencing issues with missing fax lines, back billings, and connectivity problems. As more fully outlined below, this letter is meant to serve as a formal complaint, against Windstream Communications, in the areas listed below.

- Repeated Network outages.
- System wide phone outages.

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 AP Date Processed 3/5/14

- Ongoing billing issues.
- Lack of Service Accountability.
- Chronic phone routing issues.

**Item #1: Repeated Network outages**

- In 2013, we experienced system wide network outage four (4) or more times.
- From January 2012 thru August 2013, one hundred and twenty six (126) ticket events related to our Windstream services had to be submitted.
- One hundred and thirty five and one-half (135.5) tech hours have been spent on tickets related to Windstream outages.
- Bizcorp experienced an outage in its Windstream services approximately eighty-nine (89) days during January 2013 thru August 2013.

**Item #2: System wide Phone and internet Outages**

In 2013 we experienced twenty-four (24) or more internet and phone issues that took between three (3) and fourteen (14) days to correct.

**Item #3 Ongoing Billing issues**

Bizcorp has constantly and repetitively received inaccurate invoices for telecommunication services and is concerned that these invoices are knowingly submitted in error. For example:

- In 2012 I sent a letter to the Public Utilities Commission of Ohio concerning an \$8.00 per location fee per month. It took an inordinate amount of time to have Windstream correct this problem.
- After we moved our corporate office in early 2013 Windstream continued to bill us for POTS and T-1 lines on our old corporate account (essentially double billing us) which took almost 8 months to correct.
- Windstream began charging us for the old corporate office location as well as another prior office. This issue took several months to correct.
- In an email dated Monday November 28, 2011 between Scott Macklenar (Sale Rep), cc'd to Keith Davis (Sales Manager) and Angela Paulini (Area Rep.) (none of whom currently work for Windstream), I questioned a charge of \$43.05. Below is Scott Macklenars reply (full copy appended hereto)

“The 43.05 in question is included in the number we agreed to, not in addition to it. They are for single analog POTS lines. However the number we agreed to is not \$9000.00 our agreement is for \$10519.87 Monthly minus \$500.00 monthly credit as follows.

+ \$9754.97 for primary internet, firewall, router, primary voice, private MPLS and new phone system.

+ 764.90 for Pots lines (28 single lines for fax, security, etc.)

- \$500.00 monthly credit

Total \$10019.87 Bizcorp net payment to PAETEC (does not include tax)

Since then we have agreed to add approximately \$213.48

\$195.00 per month to pay for extra cabling. Addition dated 8/31/11

(1) IP Sec tunnel for Prestige \$15.00"

On September 20, 2013 we received a letter from Windstream stating that they had been charging us incorrectly and that any future invoices could reflect a one-time non-recurring charge, an increase in our monthly recurring charge, or both. In November 2013 I received a bill from Windstream with a back billing of \$5897.34. See below. As you can see from the chart below, the majority of the fees Windstream was trying to recoup were the same fees we had already been made aware of and I believe had been paying since 2011. This was evident by the mention of this fee in the email presented above.

In the email Scott shows \$195.00 being charged per month for extra cabling. On the back billing from Windstream, the bulk of the back charges indicate \$195.00 per month for MRC (or monthly recurring charges). If Scott was aware of the \$195.00 fee per month in 2011, why would Windstream almost two years later back charge us for a fee they were acutely aware of, and already collecting?

Parent Account Number	Bill Cycle	Order Type New Install or MAC	Contract Term	Calculated MRC	Billing MRC	MRC Difference	Contract MRC Amount	Backbilling Months for NRC	Backbilling Amount
4450823	28	MAC	60	195.00	0.00	195.00	195.00	24.07	4693.00
4450823	28	MAC	60	20.00	0.00	20.00	20.00	21.93	438.67
4450823	28	MAC	60	12.67	0.00	12.67	12.67	20.83	263.96
4450823	28	MAC	60	33.08	0.00	33.08	33.08	15.17	501.71

**Item #4: Lack of Service Accountability**

Since 2011 Windstream has been unresponsive to our company's needs. It would sometimes take months to correct issues that could have been corrected in minutes. For example,

- In an email to Scott Macklenar, dated November 28, 2011 and cc'd to Keith Davis (Sales Manager), and Angela Paulini (Account Rep.), the first item references four (4) fax lines that are not working. These lines are still not working and we have spoken to Windstream staff about this problem multiple times.
- When we moved the Bizcorp corporate office we asked to have one fax line added over a year ago. Only recently did Windstream install the line but when its contractor installed the corporate fax line, one of the two working fax lines quit working. We have relayed this information to Windstream and we still do not have the correct amount of fax lines.
- Over the two and half years Bizcorp has been working with Windstream, we have had high level meetings with Windstream managing staff, but the problems remain unsolved.

- In 2012 four of our branches experienced vandalism and it took two weeks to get our business network back up and running.
- In the two and half years with Windstream we have noticed an extremely high level of turnover in their staffing.

**Item #5: Chronic phone routing issues**

The following are examples of ongoing issues:

- 1/12/2012; Bizcorp calls companywide were remote call forwarded to a different business and this continued for several months.
- 1/12/2012; The Windstream Network indicated we have reached our allotted number of calls allowed and we potentially missed hundreds of calls.
- 1/24/2013; the phones were not accepting incoming calls companywide.
- 12/16/2013; No dial tone companywide when calling into our phone system.
- 12/16/2013; when connected to a call all conversations were on a 4 second delay companywide.
- 12/2013; the 800 and 900 numbers stopped working.
- 1/6/2014; when making calls the caller hears "All circuits are busy, on a companywide basis.
- In 2012 we experienced an abnormally high number of busy signals companywide.
- January 20 and 21, 2013 the circuit was up and down (14) times at one of our Branch locations.

**Summary**

Bizcorp hereby submits this formal complaint as against Windstream and respectfully requests that all appropriate steps be taken to require Windstream to comply with its obligations to its customers in all respects; and to be held financially accountable for its errors and omissions.

John Chaffin  
 Bizcorp, LLC  
 President

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*The Public Utilities Commission  
of Ohio  
180 E. Broad St.  
Columbus, Ohio 43215*

2. Article Number

(Transfer from service label)

7013 2250 0000 0401 2832

PS Form 3811, February 2004

Domestic Return Receipt

102505-02-M-1540

**CERTIFIED MAIL™**

Bizcorp, LLC  
1335 Dublin Road 118-A  
Columbus, OH 43215



**RETURN RECEIPT  
REQUESTED**

7013 2250 0000 0401 2832

*pc*

The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215

*Closed 2-28*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☒ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes



U.S. POSTAGE  
PAID  
COLUMBUS, OH  
43215  
FEB 27, 14  
AMOUNT

**\$6.49**

00045144-25

*Delivered Monday*

43215076904

