

RECEIVED-DOCKETING DIV

00 JUN 23 PM 12:46

PUCO

Ruth L. Wellman
7744 Cricket Circle N.W.
Massillon, OH 44646-2432
(330) 837-4764

June 1, 2000

Re: *Ruth L. Wellman vs. AT&T Communications of Ohio, Inc.*,
Case No. 00-582-TP-CSS
Ruth L. Wellman vs. AT&T Communications of Ohio, Inc.,
Case No. 00-583-TP-CSS

Mr. Alan R. Schriber, Chairman
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3993

Dear Mr. Schriber:

The Public Utilities Commission of Ohio is an agency created to protect me - and not to protect a utility over which is was designed to regulate and act as a watchdog in the first place.

I have concluded from the following list of PUCO's Responsibilities that as a customer, taxpayer, and Ohio consumer, I have been grossly mistreated and victimized by this agency.

I respectfully request that you take just a few minutes of time from your busy day to carefully read my letter. I know it appears somewhat lengthy but what it says is extremely important to me not only as a utility consumer, but also as an Ohio taxpayer. Please keep an open mind when you read this and I thank you in advance for doing that.

I would like to quote the following written statements taken from a section titled *PUCO's Responsibilities* on the PUCO's web page entitled *The Utility Industry in Transition* dated November 6, 1999 and November 7, 1999:

1. **Provide** Oversight to ensure reasonable rates and terms of service where customers do not have effective choice.

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 Anna M. Hix Date Processed June 26, 2000

2. **Protect Customers against unfair, inadequate, and unsafe utility practices.**

To me, these following sentences lay out in plain English what Ohio consumers are supposed to understand - no bureaucratic frills and legal "gobbledy gook" - just plain and simple English. From what I read from the above 2 statements, one of the PUCO's responsibilities is to **protect** me as an Ohio consumer against unfair and inadequate utility practices. Please tell me just how the PUCO **protected** me as an Ohio consumer. They did nothing to protect me.

This is really very uncomplicated. It really is. There is absolutely nothing complex here whatsoever. These sentences do not mean that I will be protected only against unfair, inadequate, or unsafe utility operations such as not receiving sufficient utility power or having inadequate communications wires (such as insufficient or poor quality fiber optic cables) because it does not say that. What it says is what it says - that the PUCO will protect me against unfair and inadequate utility **practices**.

If the PUCO cannot make good on its written pledge to protect Ohio consumers, then it should say so. Certainly, it should not list pledges of protection in writing.

What the PUCO should have said to me in the first place since it is its written pledge to protect me is something like this:

"Mrs. Wellman, the PUCO is set up in the first place at Ohio taxpayer expense to protect you as an Ohio consumer. In fact, it is our responsibility to do so. Furthermore, it is also our written responsibility to **provide** oversight to ensure reasonable rates and terms of service where customers **do not have effective choice**.

Therefore, since we have pledged to **protect you**, the Ohio consumer, we will call AT&T right away and order them to immediately give you what information you have needed so you could have personally chosen the most cost effective plan for you. We have received your written complaint to us about AT&T stating:

'We feel we have the right to make our own choices. When we request information from AT&T in writing, AT&T has the responsibility to provide us with this information in writing so we can be informed customers that make our financial choices.'

Furthermore, Mrs. Wellman, if AT&T does not give you this information right away, let us know and we will call them again and make sure they do it. We're here to protect you. AT&T is to also make it right with you for not giving you the plans that you have been requesting from them so that you can take charge of your long distance calls. This a limited number of plans since they are the plans which are applicable and available to your needs.

Let me state another example about protection. Let's say that a young toddler is walking along a street with his or her mother and the child is playing with a ball. Suddenly, the ball bounces into the street and the young toddler darts after it. The mother immediately grabs her child's hand and pulls him or her out of harm's way. She protects her child. Her child does not know about the possibilities and pitfalls that could arise from darting into a street. The mother protects her child.

Again please tell me just how the PUCO protected me as an Ohio consumer? I really want to know. Why did the PUCO let me have to endure all of this legal harassment from AT&T (let alone the PUCO itself) when the PUCO is pledged to protect me as an Ohio consumer from Ohio utilities? Also, why did the PUCO delay and delay so that my telephone bill continued to accumulate such huge amounts?

Here are some instances of what the PUCO should have done to protect me as an Ohio consumer against AT&T. You can probably think of more reasons as well.

1. The PUCO should have stressed that going into a PUCO hearing was not necessary. Why should I even have had to go to a hearing in the first place? The PUCO made me feel that going through this hearing process was the only thing I could do. Why didn't the PUCO just tell AT&T to give me the limited number of plans that I was entitled to have and make this right, instead of sending me to a hearing where I

felt (because of lack of information from the PUCO) that it was my only choice to do so? I had called AT&T so many times and asked for these plans. AT&T had all of these requests documented.

Our phone bill was between \$400.00 and \$600.00 a month for our long distance calls. This comes to between \$4,800.00 and \$7,200.00 a year. In four years, we would be paying between \$19,200.00 and \$28,000.00.

All that happened to me at the hearing was I had to go up against an attorney representing an Ohio utility whose law firm is well known to have lawyers specializing in Ohio utility regulations. The PUCO knew that I was representing myself because I could not afford an attorney. I am just an Ohio taxpayer and cannot afford all kinds of legal help notwithstanding specialized legal assistance.

Therefore, I was set up to lose from the beginning. Just how was I protected here by the PUCO? Please tell me.

2. Do you know that I have a file over 5 inches thick of correspondence back and forth from AT&T; Motions and more Motions; and countless pieces of correspondence dating from a period starting almost 2 years ago? I have had to write letters and prepare legal documents on my own. In addition to this file, I have a box of papers related to this. All I got was "Well, that's Mrs. Wellman's problem." Please tell me just what the PUCO did to protect me from this situation?
3. Finally, all the PUCO had to do was call AT&T and tell them to give me what I asked for from AT&T. They should have required that AT&T give me written plan information so that I could make intelligent choices before my telephone bill kept going up month after month. The PUCO has the legal power to make AT&T stop giving me the run around and make things right with us.

Now I find myself in a legal and bureaucratic quagmire which should never have happened to me in the first place. The responsibilities of the PUCO and mandated for the PUCO as indicated above are clear and easy to understand.

In fact, as I read them, the PUCO has a responsibility to protect not just the individual Ohio resident, taxpayer, customer, and consumer, but all Ohio utility customers and consumers including large Ohio corporations and industries and small business owners as well. Everyone who is an Ohio consumer of Ohio utilities is to be protected.

By not protecting me from AT&T, Ameritech (or any other utility) the PUCO is actually protecting, and thereby acting as an advocate for, the utility over which it was designed to be a watchdog in the first place. Now AT&T has submitted a Request for Declaratory Order to the PUCO attempting to slam the door on me from taking any more action on my part through the PUCO against AT&T.

How did it all come to this? All I wanted from the PUCO was to live up to its responsibilities as indicated above. To me, this has become a paper chase nightmare which should never have had to happen.

I apologize for the length of this letter. I am not an attorney. I cannot afford to be represented by an attorney, but I should not have to be. The law of fairness, and common sense responsibilities pledged to be kept by an Ohio governmental agency should all combine to provide protection to the Ohio consumer who pays for this agency in the first place.

Please try to see this through the eyes of an Ohio taxpayer and consumer who just needs and expects the PUCO to live up to its pledge to protect me. What AT&T and Ameritech have done to me and my family should never have happened.

Sincerely,



Ruth L. Wellman

Enc.

- c. Rhonda H. Fergus, Commissioner
- Craig A. Glazer, Commissioner
- Judith A. Jones, Commissioner
- Donald L. Mason, Commissioner
- Gregory Russell, Attorney for AT&T

MY COMPLAINT IS:

AT&T has not told us the truth and has refused to give us back-up information or written documentation on their calling plans, promotions, or prices/rates.

A senior citizen, an individual with a disability, or someone with no transportation will have a hard time going to the public library and looking under F. C. C. tariff number 27 section 24 to find these answers. This is what I was finally told to do by William W. Carpenter, CCU Manager of AT&T in his 1-27-98 letter to me. Probably, no one at the library has the knowledge to explain AT&T's published rates to the person seeking assistance concerning information on these rates. Even if I do go to the library, no one will have the training or expertise to accurately explain what the rates refer to and the further explanation of how these rates apply to AT&T's calling plans and prices anyway.

Also, AT&T does not tell us up front and in writing, what is included in the services available, how to properly access these services when needed, and most important, the cost of each service at the onset.

I have been told so many untruths and meaningless information, that I wanted this in writing so that I could sit down and do some personal analysis of this.

AT&T has ways (see attached letters) to delay people and to inconvenience them. We hold so long that we give up from frustration, or from the realization in waiting for AT&T's response that we have to hang up for financial reasons.

We have attempted to get straight answers in writing from AT&T, but we are not getting the facts that we deserve or need as customers. AT&T has not told us the truth and has caused us much stress and sadness.

Therefore, we are submitting this formal complaint to the PUCO, because we do not have any way of dealing with such a large and powerful company.

AT&T has lack of consideration and care for us as customers. AT&T has given us terrible service. AT&T has not told us the truth and has caused us sadness. We feel we have the right to make our own choices. When we request information from AT&T in writing, AT&T has the responsibility to provide us with this information in writing so we can be informed customers that make our own financial choices. We have been long and loyal customers for many, many years. We do not want to be customers of AT&T anymore.

Copies of back correspondence are attached for your information.



" Industry in Transition

Chair Commissioner Commissioner Commissioner

PUCO Home Activity Consumer Utilities Transportation About
The Public Utilities Commission of Ohio * 180 E. Broad St. * Columbus, Ohio 43215-3793

[Home]
[About the Commission]
[Consumer Education]
[Press Releases]
[Ohio Utilities]
[Commission Activity]
[Transportation]

Get Acrobat
Adobe Reader

To view documents kept in the PDF format, download the free viewer "Adobe Acrobat" from Adobe's web site by clicking on the icon or the following link: Steps to Downloading the Free Acrobat Reader from Adobe.

The PLAYERS

8 Electric Companies

Ohio has eight major investor-owned electric companies.

31 Gas Companies

In addition to the 31 gas distribution companies regulated for gas cost recovery rates, the PUCO also inspects 35 intrastate and 10 interstate companies, 4 municipal systems and 62 master meter operators for gas pipeline safety requirements. There are also 15 gas marketers now participating in the Toledo gas pilot program for customer choice.

367 Telecommunications Companies

Among the regulated telephone companies are 69 local telephone companies (including 27 certified since the fall of 1995), 193 long distance carriers, and 105 cellular and paging companies.

18 Water Companies

The PUCO regulates 18 water companies which operate 25 water systems. In addition, the PUCO regulates 5 wastewater companies and 5 combination companies.

The CHANGES

The most dynamic change in the history of public utility regulation is occurring NOW! Technology, economics, and public policy are the driving forces. Competition is a common goal to drive efficiency, choice and innovation. During the transition to competition, legislators and regulators must strike a delicate balance in continuing to provide customer protection, creating a fair competitive environment, and relaxing regulation where appropriate.

- **TELECOMMUNICATIONS:** The federal Telecommunications Act of 1996 mandated that local telephone networks be opened to competition. Since the late 1970's, competition has emerged in long distance, cellular and other areas.
- **ELECTRIC & GAS:** Competition is vibrant at the

wholesale level and numerous retail trials are in process. Federal legislation may further drive retail competition for electric generation. Even if all customers have a choice of supplier, regulation will still be crucial for transmission and local distribution.

- **WATER AND WASTEWATER:** Federal legislation mandating higher levels of safety, quality and environmental compliance is forcing costs upward. Although the basic monopoly structure remains unchanged, there is movement toward streamlining the regulatory process.

The FUTURE

Competition does not develop overnight. When legislators set the policy stage for competition, and regulators put in place the framework, companies still must seek investors, create business plans, negotiate with incumbents, build infrastructure, find customers and develop markets. After all the pieces are in place, it may still take years to have a vibrant competitive environment. For example, although long distance competition has been the law for over ten years, AT&T, the former monopoly, retains over 50% of the market. In spite of having hundreds of competitors, there are still parts of Ohio and elsewhere in the U.S. where AT&T is still the only long distance provider. During the transition, new entrants rely on regulators to oversee incumbents behavior, to protect against anticompetitive practices, and to resolve disputes. Customers rely on regulators to continue to control the remaining monopoly parts of the industry and to protect them from fraudulent or abusive practices. The PUCO is constantly re-examining and transforming the way we do business to serve the public most effectively. Here are some of the ways we've adapted and will continue to evolve:

- ✓ • **MARKETPLACE WATCHDOG.** We must accept new responsibilities as traditional monopolies begin to offer competitive services. New issues, such as cross-subsidization, anticompetitive actions, price discrimination and predatory pricing are now our responsibility. Under the federal Telecom Act, we are to open local networks, eliminate barriers to entry, prevent market power abuse, arbitrate competitor interconnection and referee disputes. We will continue to protect customers from unfair practices by both incumbents and new entrants.
- **SERVICE QUALITY AND SAFETY.** We must assure continued safety, reliability and quality in essential services. As companies get lean and mean to prepare for competition, there are incentives to cut costs. Without adequate safeguards, the result can be lower service quality.

Consumers cannot live without safe, reliable and adequate power and water, and for many people, the telephone is truly a lifeline to the outside world.

- **CUSTOMER INFORMATION.** We must arm customers with accurate information to make informed choices and must hold industry players to sufficiently high standards. As utility services are essential, not discretionary, customers will need a knowledgeable source of adequate, reliable, unbiased information about the choices they will make in a more competitive utility world.
- **FLEXIBILITY.** We must be adaptable, flexible, and quick. We must embrace processes that meet the changing environment. Increasingly, we have streamlined, developed alternative regulatory methods, and have used more alternative dispute resolution, workshops, and collaborative processes to balance the interests and needs of stakeholders.

✓ PUCO's Mission

Our mission is to assure all consumers access to adequate, safe, reliable and reasonably priced public utility services, while facilitating competitive choices for Ohio consumers.

✓ PUCO's Responsibilities

- **Ensure** Availability of adequate, safe, and reliable utility services for all customers
- ✓ • **Provide** Oversight to ensure reasonable rates and terms of service where customers do not have effective choice
- ✓ • **Protect** Customers against unfair, inadequate, and unsafe utility practices
- **Foster** Competition by establishing and enforcing a fair competitive framework for incumbents and new entrants
- **Resolve** Disputes between customers and utility providers and between utility providers
- ✓ • **Facilitate** Information to customers and between providers to promote effective customer choice

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

Governor
Bob Taft

Chairman
Alan R. Schriber

Commissioners
Ronda Hartman Fergus

Craig A. Glazer
Judy A. Jones
Donald L. Mason

PUCO Hotline 1-800-686-PUCO
Hearing Impaired Line (TDD) 1-800-686-1570
<http://www.puc.state.oh.us/>

An Equal Opportunity Employer and Service Provider

The Public Utilities Commission of Ohio
180 E. Broad St. * Columbus, Ohio 43215-3793
614-466-3292 In Ohio call toll free: 1-800-686-PUCO (7826)
614-466-8180 (TTY-TDD) 1-800-686-1570 (TTY-TDD)