

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Greg T. Tesorero and Welehada V. Tesorero,

Complainants,

vs.

Verizon California, Inc. (U1002C),

Defendant.

(ECP)

Case 13-03-012

(Filed March 25, 2013)

DECISION DISMISSING COMPLAINT**1. Summary**

Greg T. Tesorero and Welehada V. Tesorero (Complainants) seek a refund of \$164.67 and to have negative remarks related to the disputed charges removed from their credit report. Complainants claim that they canceled the service request within the allowable time, but Defendant, Verizon California, Inc. (Verizon) billed them and sent the account to collections when it was not paid. The request for relief is denied as moot, as discussed below.

2. Positions of the Parties

In August 2011, Complainants applied for landline telephone service from Verizon. Complainants allege that they canceled the order within 24 to 72 hours although they cannot locate a copy of the cancelation form. Verizon billed

Complainants \$164.67.¹ Complainants assert they were not given an opportunity to dispute the claim. In May 2012, six months after service was applied for, Complainants received a collection notice from AFNI Collections (AFNI) stating that Complainant's Verizon account with \$164.67 owed had been referred to AFNI for collection. The notice gave Complainants 30 days to dispute the validity of the debt. According to notes contained in the complaint, Complainants spoke with Vicky of AFNI on June 6, 2012, but the complaint provides no information regarding what transpired during the conversation with AFNI.

Ultimately, AFNI sent a negative report to the credit reporting agencies. Complainants' subsequent application to refinance their home at a lower interest rate with Bank of America was denied. The reason Bank of America gave for denying the application was a too-low credit score, partially based on a serious recent delinquency contained in the Equifax credit report. Complainants request that their credit be restored and if possible, monetary damages be awarded in the amount of savings the Complainants would have realized with a lower interest rate mortgage.

3. Discussion

Prior to a hearing on this matter, Verizon issued Complainants credit for outstanding charges and deleted the negative remarks in their credit report. However, Verizon continues to maintain that the charges and negative credit

¹ The Verizon bill was not included in the complaint, so it is unclear what time period is included in this amount.

remarks were proper, but the charges were reversed prior to a hearing to avoid the costs of appearing for a hearing.

Since the only basis of the complaint upon which the Commission can provide relief no longer exists, the relief requested is denied as moot and this complaint is dismissed.

4. Assignment of Proceeding

Catherine J.K. Sandoval is the assigned Commissioner and Linda A. Rochester is the assigned Administrative Law Judge in this proceeding.

IT IS ORDERED that:

1. The relief requested is denied as moot.
2. Case 13-03-012 is dismissed.
3. Case 13-03-012 is closed.

This order is effective today.

Dated _____, at San Francisco, California.