

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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Lori Emerson,

Complainant,

v.

Verizon California Inc. (U-1002-C),

Defendant.

(ECP)

Case No. (C.) 10-02-025
(Filed February 22, 2010)

ANSWER OF VERIZON CALIFORNIA INC (U 1002 C) TO COMPLAINT

Defendant Verizon California Inc. (U 1002 C) (Verizon) answers the complaint of Lori Emerson (Complainant) as follows:

INTRODUCTION AND FACTUAL BACKGROUND

Complainant asserts that she is owed a refund of "double charges" for over 12 years, totaling \$5,796,90. In fact, Complainant has been fully credited for all erroneous charges and is entitled to no further credit from Verizon. Accordingly, her Complaint should be dismissed.

Complainant asserts that she had a Call Solution Package A (Optional Calling Plan) since October 1996. In fact, Complainant has subscribed to Verizon's Call Solution Package service since January 1997 when she superseded the account. The Call Solution Package was added to the account October 18, 1996 by the prior owner.

The Call Solution Package A price was \$11.95 per month and included the following features: 15% discount on IntraLATA Toll, Call Forwarding, Call Waiting, Cancel Call Waiting, Three-Way Calling, Speed Call 8, Inside Wire Maintenance, Voice Mail with Individual Message Boxes. At the time the Call Solution Package was ordered

the owner also had a number of individual calling features on the line, including Voice Mail, Inside Wire Maintenance and Call Waiting.

Complainant asserts that she is entitled to credits for the complete price of the “Call Solution Package charge since October 1996.”¹ As a preliminary matter, however, Ms. Emerson is barred by Section 736 of the Public Utilities Code² from any credits prior to February 2006, three years prior to the filing of her informal complaint. That change alone reduces the amount of Ms. Emerson’s claim to \$522.02.

In addition, Complainant errs in calculation of her refund request. As part of the exhibits attached to the complaint, Complainant produced a spreadsheet calculating the refund requested. The spreadsheet incorrectly identified the “Total Non-Basic Charges” as “Taxes,” which created a significant calculation error and incorrectly identified the credit due as \$5,796.90. Without questioning any of the other charges represented in the spreadsheet, correcting this one error reduces the credit that is allegedly due to \$236.65.³

Complainant also errs in her assertions regarding the account history and credits issued. Complainant claims to have contacted Verizon in August of 2008⁴ in an attempt to lower her Verizon bill. Specifically, Complainant asserts she requested the Call

¹ Complaint, page 5 (Emerson ECP 2.22.10.pdf)

² PUC Code 736. All complaints for damages resulting from the violation of any of the provisions of Sections 494 or 532 shall either be filed with the commission, or, where concurrent jurisdiction of the cause of action is vested in the courts of this state, in any court of competent jurisdiction within three years from the time the cause of action accrues, and not after. If claim for the asserted damages has been presented in writing to the public utility concerned within the period of three years, the period shall be extended to include six months from the date notice in writing is given by the public utility to the claimant of the disallowance of the claim, or of any part or parts thereof specified in the notice.

³ See Credits Spreadsheet (Emerson Credits.xls), attached hereto as *Exhibit A*.

Solution package removed in August 2008.⁵ Verizon has no record of such call. Complainant's call records⁶ show a repair ticket placed July 2008 with the next contact being in February 2009.

On February 2, 2009 Complainant called Verizon. While reviewing the account Verizon discovered the customer had been billed for Voice Mail and Inside Wire Maintenance both as individual services and as part of the Call Solution Package (Optional Calling Plan). Credit in the amount of \$76.74, which included taxes, was issued for the time period of August 2008 through February 2009 for the individual features (Voice Mail and Inside Wire Maintenance) which were billed outside of the package.

Complainant next contacted Verizon in March 2009 to make additional changes to her account, and again in July 2009 to disconnect service. Accordingly, Verizon disconnected that number and stopped billing Complainant for any charges incurred from use of the number as of July 21, 2009.

Complainant asserts that the charges for the Call Solution Package, added to the line in 1996 were double billed and requests credit for 12 years of service,⁷ when in fact the charges were for the billing of individual features that were included as part of the Call Solution Package, as discussed above. Upon further research, Verizon discovered a total of three individual calling features, Inside Wire Maintenance, Voice Mail and Call

⁴ Complaint, page 7 (Emerson ECP 2.22.10.pdf)

⁵ Complaint, page 7 (Emerson ECP 2.22.10.pdf)

⁶ Call records can be provided at the time of the hearing supporting this timeline.

⁷ Complaint, page 7 (Emerson ECP 2.22.10.pdf)

Waiting, billed outside of the Call Solution Package dating back to 1996. Verizon provided Complainant with additional credits for the 3 individually billed features. An adjustment was issued for Inside Wire Maintenance and Voice Mail in the amount of \$1,240.98, and \$425.46 was provided for the Call Waiting covering the time period from 1996 through 2008. Complainant has already been given full credit and is legally barred from double recovery under Section 532 of the Public Utilities Code.⁸

Verizon has devoted substantial time and effort to helping Complainant understand the rates, terms and conditions of her Call Solution Package and individual Calling Features and has provided credits for the individual calling features billed for the duration of time that the features were double billed. Total credit provided for three individual features, Inside Wire Maintenance, Call Waiting and Voice Mail is \$1,743.18.⁹

Verizon has done all it can do to help Complainant and hopes that this litigation will help to educate Complainant on the appropriateness of the credits previously provided.

ANSWER TO MATERIAL ALLEGATIONS OF THE COMPLAINT

1. Verizon incorporates the above Introduction and Factual summary here. Verizon denies each and every allegation as set forth in the Complaint and attached statement except as expressly admitted herein.

⁸ P.U. Code § 532 states that a telephone corporation is required to “charge ... collect [and] receive” the rates specified in its tariffs on file, and is prohibited from charging or receiving “a different compensation” than the rates specified in its tariffs “on file and in effect at the time” service is provided.

⁹ See Voucher Details (VoucherSummary.xls), attached hereto as *Exhibit B*.

2. In response to the allegations set forth in paragraphs F through H of the Complaint, Verizon denies that Complainant is entitled to additional credits for “double billing” of the Call Solution Package.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Complainant’s allegations fail to state facts sufficient to state a cause of action under California Public Utilities Code Section 1702 and Article 4 of the Commission’s Rules of Practice and Procedure.

SECOND AFFIRMATIVE DEFENSE

To the extent that the Complaint seeks damages or remedies beyond the jurisdiction of the Commission, such requests for damages and/or remedies must be stricken and dismissed.

THIRD AFFIRMATIVE DEFENSE

The Complaint is barred by the applicable statute of limitations. Specifically, the applicable statute of limitations bars any recovery over three years old. (See PUC § 736.) Therefore, if Complainant were entitled to any additional recovery—which she is not—it would be only for a period that falls within the statute of limitations.

FOURTH AFFIRMATIVE DEFENSE

Complainant is barred from double recovery under Public Utilities Code section 532.

FIFTH AFFIRMATIVE DEFENSE

The Complaint is barred by the doctrine of laches.

SIXTH AFFIRMATIVE DEFENSE

At all times alleged in the Complaint, Defendant has acted in accordance with its statutory, contractual and other regulatory obligations with respect to Complainant.

PROCEDURAL MATTERS

Verizon does not object to the adjudicatory categorization of this case.

Verizon's representative for this case is Hope Christman. Ms. Christman's contact information appears below.

WHEREFORE, Verizon requests that the Commission deny the Complaint and the relief sought by Complainant, dismiss the Complaint, and grant such other and further relief, as the Commission deems appropriate.

DATED: March 24, 2010

Respectfully submitted,



Hope Christman
Specialist, State Government Relations
112 S. Lakeview Canyon Road
Thousand Oaks, CA 91362
(805) 372 6429

VERIFICATION

I am an officer of Verizon California Inc. (U 1002 C) (Verizon), a corporation organized and existing under the laws of California, and I have been authorized to make this verification on its behalf.

I have read the forgoing Answer and know the contents thereof.

I am informed and believe that the matters stated therein are true and on that ground I allege that the matters stated therein are true.

I declare under penalty of perjury that the above statements are true and correct.

Executed on the 25th day of March, 2010, at Thousand Oaks, California.

By /s/ Lawrence A. Valdivieso
Lawrence A. Valdivieso
Assistant Secretary

EXHIBIT A

EXHIBIT A

Lori Emerson

C.10.020.025

In Ms. Emerson's spreadsheet she incorrectly identified the total for all Non-Basic Charges as "Taxes", when in fact the figure identified is actually the sum of of all non-basic calling services, intralata toll AND taxes applicable to those services.

Inside Wire Maintenance, Voice Mail and Call Waiting are the services which were billed individually as well as provided in the Optional Package

Demand for Refund Amounts

CORRECTED SPREADSHEET

Year	Refund Due
2009	\$83.84
2008	\$189.36
2007	\$163.49
2006	\$155.16
2005	\$151.98
2004	\$140.26
2003	\$141.87
2002	\$152.62
1997 - 2001	\$763.08 Ms. Emerson Superseded the account in January 1997
1996	\$38.15 Call Solution was added to the account October of 1996, credit provided for Oct, Nov & Dec. even though account was not in her name.
Refund Due	\$1,979.83
Refund Rec'd	(\$76.74) 2/2/2009
Refund Rec'd	(\$1,240.98) 4/22/2009
Refund Rec'd	(\$425.46) 2/17/2010
Refund Due	\$236.65 Balance of refund due, based on this spreadsheet

\$522.02 Total credits allowed under 3 year statue of limitations- February 2009 through February 2006

2009	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Optional	Features Total	Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet	Total Non Basic charges (incorrectly identified on Ms. Emersons spreadsheet as "TAXES")	(Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total
1/22/2009		\$5.95			\$6.95	\$1.28	\$11.95			\$26.13	\$58.78	\$12.90	\$0.66	\$13.56
2/22/2009		\$5.95			\$6.95	\$1.28	\$11.95			\$26.13	\$57.63	\$12.90	\$0.67	\$13.57
3/22/2009		\$5.95			\$6.95	\$1.28	\$0.00			\$14.18	\$22.74	\$12.90	\$1.28	\$14.18
4/22/2009		\$5.95			\$6.95	\$0.67	\$0.00			\$13.57	\$44.67	\$12.90	\$0.67	\$13.57
5/22/2009		\$6.99			\$6.95	\$0.67	\$0.00			\$14.61	\$46.45	\$13.94	\$0.67	\$14.61
6/22/2009		\$6.99			\$6.95	\$0.42	\$0.00			\$14.36	\$45.72	\$13.94	\$0.42	\$14.36
7/22/2009													2009 refund	\$83.84

2008	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Non Basic Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet)	Optional	Features Total	Total Non Basic charges (incorrectly identified on Ms. Emerson's spreadsheet as "TAXES")	Total Bill (Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total
1/22/2008	\$3.00	\$4.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.30	\$11.95		\$35.15	\$68.93	\$14.30	\$1.00	\$15.30	
2/22/2008	\$3.00	\$4.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.30	\$11.95		\$35.15	\$67.46	\$14.30	\$1.00	\$15.30	
3/22/2008	\$3.00	\$4.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.30	\$11.95		\$35.15	\$67.45	\$14.30	\$1.00	\$15.30	
4/22/2008	\$3.00	\$5.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.29	\$11.95		\$36.14	\$68.54	\$15.30	\$1.04	\$16.34	
5/22/2008	\$3.00	\$5.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.29	\$11.95		\$36.14	\$68.54	\$15.30	\$1.04	\$16.34	
6/22/2008	\$3.00	\$5.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.28	\$11.95		\$36.13	\$70.67	\$15.30	\$1.03	\$16.33	
7/22/2008	\$3.00	\$5.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.60	\$11.95		\$36.45	\$72.04	\$15.30	\$1.18	\$16.48	
8/22/2008	\$3.00	\$5.95	\$1.80	\$2.10	\$6.95	\$2.70	\$3.85	\$11.95		\$38.30	\$78.85	\$15.60	\$1.74	\$17.34	
9/22/2008	\$3.00	\$5.95	\$1.80	\$2.10	\$6.95	\$2.70	\$7.03	\$11.95		\$41.48	\$73.92	\$15.60	\$3.18	\$18.78	
10/22/2008	\$3.00	\$5.95	\$1.80	\$2.10	\$6.95	\$2.70	\$3.81	\$11.95		\$38.26	\$70.13	\$15.60	\$1.73	\$17.33	
11/22/2008	(\$2.30)	\$5.95	(\$1.38)	(\$1.61)	\$6.95	(\$2.07)	\$0.40	\$11.95		\$17.89	\$51.16	\$10.83	\$0.25	\$11.08	
12/22/2008	\$0.00	\$5.95	\$0.00	\$0.00	\$6.95	\$0.00	\$1.07	\$11.95		\$25.92	\$57.48	\$12.90	\$0.56	\$13.46	
2008 totals	\$27.70	\$68.40	\$16.62	\$17.29	\$83.40	\$22.83	\$32.52	\$143.40		\$412.16	\$815.17		2008 refund	\$189.36	

2007	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Non Basic Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet	Optional	Features Total	Total Non Basic charges (incorrectly identified on Ms. Emerson's spreadsheet as "TAXES")	Total Bill (Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total
1/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.49	\$11.95		\$33.08	\$63.24	\$12.04	\$0.98	\$13.02
2/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.43	\$11.95		\$33.02	\$63.16	\$12.04	\$0.96	\$13.00
3/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.43	\$11.95		\$33.02	\$63.22	\$12.04	\$0.96	\$13.00
4/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.29	\$11.95		\$32.88	\$63.06	\$12.04	\$0.90	\$12.94
5/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.25	\$11.95		\$32.84	\$61.98	\$12.04	\$0.89	\$12.93
6/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.25	\$11.95		\$32.84	\$72.51	\$12.04	\$0.89	\$12.93
7/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$1.97	\$11.95		\$32.56	\$62.27	\$12.04	\$0.78	\$12.82
8/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.40	\$2.56	\$11.95		\$33.45	\$67.28	\$12.34	\$1.02	\$13.36
9/22/2007	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.40	\$2.17	\$11.95		\$33.06	\$62.35	\$12.34	\$0.87	\$13.21
10/22/2007	\$3.00	\$4.95	\$1.80	\$1.80	\$6.95	\$2.40	\$3.09	\$11.95		\$35.94	\$64.71	\$14.30	\$1.35	\$15.65
11/22/2007	\$3.00	\$4.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.37	\$11.95		\$35.22	\$63.99	\$14.30	\$1.03	\$15.33
12/22/2007	\$3.00	\$4.95	\$1.80	\$1.80	\$6.95	\$2.40	\$2.36	\$11.95		\$35.21	\$65.08	\$14.30	\$1.03	\$15.33
2007 totals	\$36.00	\$41.76	\$21.60	\$21.60	\$83.40	\$26.70	\$28.66	\$143.40		\$403.12	\$772.85		2007 refund	\$163.49

2006	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Non Basic Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet)	Optional	Features Total	Total Non Basic charges (incorrectly identified on Ms. Emerson's spreadsheet as "TAXES")	Total Bill (Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total
1/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.76		\$11.95		\$33.35	\$66.82	\$12.04	\$1.09	\$13.13
2/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.76		\$11.95		\$33.35	\$66.27	\$12.04	\$1.09	\$13.13
3/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.76		\$11.95		\$33.35	\$65.20	\$12.04	\$1.09	\$13.13
4/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.76		\$11.95		\$33.35	\$66.37	\$12.04	\$1.09	\$13.13
5/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$0.00		\$11.95		\$30.59	\$65.26	\$12.04	\$0.00	\$12.04
6/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.81		\$11.95		\$33.40	\$66.42	\$12.04	\$1.11	\$13.15
7/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.76		\$11.95		\$33.35	\$65.23	\$12.04	\$1.09	\$13.13
8/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.35		\$11.95		\$32.94	\$64.75	\$12.04	\$0.92	\$12.96
9/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$1.13		\$11.95		\$31.72	\$66.55	\$12.04	\$0.44	\$12.48
10/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.18		\$11.95		\$32.77	\$65.91	\$12.04	\$0.86	\$12.90
11/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.43		\$11.95		\$33.02	\$66.48	\$12.04	\$0.96	\$13.00
12/22/2006	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.43		\$11.95		\$33.02	\$63.11	\$12.04	\$0.96	\$13.00
2006 totals	\$36.00	\$35.88	\$21.60	\$21.60	\$83.40	\$25.20	\$27.13		\$143.40		\$394.21	\$788.37		2006 refund	\$155.16

2005	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Non Basic Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet)	Optional	Features Total	Total Non Basic charges (incorrectly identified on Ms. Emerson's spreadsheet as "TAXES")	Total Bill (Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total
1/22/2005	\$3.00	\$1.75	\$1.80	\$1.80	\$6.95	\$2.10	\$2.59	\$11.95	\$31.94	\$60.49	\$10.80	\$0.95	\$11.75		
2/22/2005	\$3.00	\$1.75	\$1.80	\$1.80	\$6.95	\$2.10	\$2.80	\$11.95	\$32.15	\$60.73	\$10.80	\$1.03	\$11.83		
3/22/2005	\$3.00	\$1.75	\$1.80	\$1.80	\$6.95	\$2.10	\$2.56	\$11.95	\$31.91	\$60.72	\$10.80	\$0.94	\$11.74		
4/22/2005	\$3.00	\$1.75	\$1.80	\$1.80	\$6.95	\$2.10	\$3.01	\$11.95	\$32.36	\$60.79	\$10.80	\$1.11	\$11.91		
5/22/2005	\$3.00	\$1.75	\$1.80	\$1.80	\$6.95	\$2.10	\$2.87	\$11.95	\$32.22	\$60.65	\$10.80	\$1.06	\$11.86		
6/22/2005	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$4.23	\$11.95	\$34.82	\$63.25	\$12.04	\$1.66	\$13.70		
7/22/2005	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.96	\$11.95	\$33.55	\$61.91	\$12.04	\$1.17	\$13.21		
8/22/2005	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$3.72	\$11.95	\$34.31	\$62.67	\$12.04	\$1.46	\$13.50		
9/22/2005	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.72	\$11.95	\$33.31	\$61.67	\$12.04	\$1.07	\$13.11		
10/22/2005	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.72	\$11.95	\$33.31	\$64.96	\$12.04	\$1.07	\$13.11		
11/22/2005	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.77	\$11.95	\$33.36	\$62.89	\$12.04	\$1.09	\$13.13		
12/22/2005	\$3.00	\$2.99	\$1.80	\$1.80	\$6.95	\$2.10	\$2.77	\$11.95	\$33.36	\$61.72	\$12.04	\$1.09	\$13.13		
2005 totals	\$36.00	\$29.68	\$21.60	\$21.60	\$83.40	\$25.20	\$35.72	\$143.40	\$396.60	\$742.45	2005 refund	\$151.98			

2004	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Non Basic Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet)	Optional	Features Total	Total Non Basic charges (incorrectly identified on Ms. Emerson's spreadsheet as "TAXES")	Total Bill (Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total
1/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$7.65	\$11.95		\$36.20	\$65.22	\$10.00	\$2.68	\$12.68
2/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$5.61	\$11.95		\$34.16	\$66.09	\$10.00	\$1.96	\$11.96
3/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$3.94	\$11.95		\$32.49	\$60.63	\$10.00	\$1.38	\$11.38
4/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$4.32	\$11.95		\$32.87	\$61.50	\$10.00	\$1.51	\$11.51
5/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$4.99	\$11.95		\$33.54	\$61.68	\$10.00	\$1.75	\$11.75
6/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$4.70	\$11.95		\$33.25	\$61.39	\$10.00	\$1.65	\$11.65
7/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$3.44	\$11.95		\$31.99	\$60.14	\$10.00	\$1.20	\$11.20
8/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$5.27	\$11.95		\$33.82	\$63.17	\$10.00	\$1.85	\$11.85
9/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$6.80	\$11.95		\$35.35	\$65.37	\$10.00	\$2.38	\$12.38
10/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$3.81	\$11.95		\$32.36	\$61.29	\$10.00	\$1.33	\$11.33
11/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$3.91	\$11.95		\$32.46	\$63.84	\$10.00	\$1.37	\$11.37
12/22/2004	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$3.40	\$11.95		\$31.95	\$60.37	\$10.00	\$1.19	\$11.19
2004 totals	\$36.00	\$11.40	\$21.60	\$21.60	\$83.40	\$25.20	\$57.84	\$143.40		\$400.44	\$750.69		2004 refund	\$140.26

2003	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Non Basic Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet	Optional	Features Total	Total Non Basic charges (incorrectly identified on Ms. Emerson's spreadsheet as "TAXES")	Total Bill (Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total
1/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$3.76	\$11.95		\$32.31	\$63.53	\$10.00	\$1.32	\$11.32
2/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$5.90	\$11.95		\$34.45	\$66.36	\$10.00	\$2.07	\$12.07
3/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$5.25	\$11.95		\$33.80	\$65.07	\$10.00	\$1.84	\$11.84
4/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$7.01	\$11.95		\$35.56	\$66.91	\$10.00	\$2.46	\$12.46
5/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$2.63	\$11.95		\$31.18	\$62.43	\$10.00	\$0.92	\$10.92
6/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$2.69	\$11.95		\$31.24	\$62.45	\$10.00	\$0.94	\$10.94
7/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$4.07	\$11.95		\$32.62	\$67.14	\$10.00	\$1.43	\$11.43
8/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$4.44	\$11.95		\$32.99	\$61.58	\$10.00	\$1.56	\$11.56
9/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$7.42	\$11.95		\$35.97	\$64.79	\$10.00	\$2.60	\$12.60
10/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$8.31	\$11.95		\$36.86	\$65.65	\$10.00	\$2.91	\$12.91
11/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$6.49	\$11.95		\$35.04	\$63.83	\$10.00	\$2.27	\$12.27
12/22/2003	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$4.48	\$11.95		\$33.03	\$61.82	\$10.00	\$1.57	\$11.57
2003 totals	\$36.00	\$11.40	\$21.60	\$21.60	\$83.40	\$25.20	\$62.45	\$143.40		\$405.05	\$771.56		2003 refund	\$141.87

2002	*69	InWireMa	Prior.Call	Block	Voice	Waiting	Non Basic Service Taxes and Zone Unit Charges (not identified on Ms. Emerson's spreadsheet)	Optional	Features Total	Total Non Basic charges (incorrectly identified on Ms. Emersons spreadsheet as "TAXES")	Total Bill (Total bill should include total for basic and nonbasic services as well as other charges such as LD)	Double counted charges	Taxes	Total	
1/22/2002	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$7.51	\$11.95		\$36.06	\$67.44	\$10.00	\$2.63	\$12.63	
2/22/2002	\$3.00	\$0.95	\$1.80	\$1.80	\$6.95	\$2.10	\$8.01	\$11.95		\$36.56	\$67.98	\$10.00	\$2.81	\$12.81	
													\$25.44		
													total 2002 estimate using average charges for 2002		\$152.62

1996 October, November, December, estimated refund based on 2002 charges	\$38.15
1997-2001 estimated refund based on 2002 charges	\$763.08
2002-2009 Refund	\$1,178.59
TOTAL	\$1,979.83
credits provided to date	\$1,743.18
Difference	\$236.65

EXHIBIT B

EXHIBIT B

Emerson Voucher Summary

Voucher #	Voucher Amount	Date / Time Created	Comment
7256372	\$425.46	2/17/2010 19:05	
Call Waiting Credit	\$425.46		\$425.46 total credit for Call Waiting
6346843	\$113.73	4/22/2009 13:52	
6346831	\$98.30	4/22/2009 13:50	
6346818	\$95.07	4/22/2009 13:47	
6346801	\$95.07	4/22/2009 13:43	
6346791	\$95.07	4/22/2009 13:41	
6346782	\$95.07	4/22/2009 13:39	
6346753	\$94.29	4/22/2009 13:35	
6346729	\$94.34	4/22/2009 13:31	
6346707	\$94.34	4/22/2009 13:21	
6346667	\$23.59	4/22/2009 13:12	
6330789	\$118.72	4/16/2009 16:45	
6330779	\$124.57	4/16/2009 16:42	
6330769	\$35.53	4/16/2009 16:39	
6312205	\$11.84	4/9/2009 15:53	
6312189	\$12.84	4/9/2009 15:52	
6312174	\$12.84	4/9/2009 15:51	
6312135	\$12.83	4/9/2009 15:49	
6312121	\$6.97	4/9/2009 15:48	
6312092	\$5.97	4/9/2009 15:39	
Inside Wire and Voice Mail Credit	\$1,240.98		\$12,40.98 credit for Inside Wire Maintenance and Voice Mail from 1996 thru 2008
6087007	\$12.94	2/2/2009 13:02	
6086997	\$12.94	2/2/2009 13:01	
6086984	\$12.94	2/2/2009 12:59	
6086968	\$12.94	2/2/2009 12:57	
6086940	\$12.94	2/2/2009 12:54	
6086907	\$12.04	2/2/2009 12:49	
Inside Wire and Voice Mail Credit	\$76.74		\$76.74 credit for Inside Wire Maintenance and Voice Mail from August 2008 through February 2009.
Total Credits Provided	\$1,743.18		

CERTIFICATE OF SERVICE

I hereby certify that: I am over the age of eighteen years and not a party to the within entitled action; my business address is 711 Van Ness Avenue, Suite 300, San Francisco, California 94102; I have this day served a copy of the foregoing, **ANSWER OF VERIZON INC. (U 1002 C) TO COMPLAINT** by electronic mail to those who have provided an e-mail address and by U.S. Mail to those who have not, on the service list.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2010 at San Francisco, California.

/s/ Christine Becerra
CHRISTINE BECERRA

Service List: C.10-02-025



California Public
Utilities Commission

CPUC Home

CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

PROCEEDING: C1002025 - (ECP) EMERSON VS VER
FILER: LORI EMERSON
LIST NAME: LIST
LAST CHANGED: MARCH 10, 2010

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Parties

LORI EMERSON
1048 5TH STREET
SANTA MONICA, CA 90403
FOR: LORI EMERSON

ELAINE M. DUNCAN
VERIZON CALIFORNIA, INC.
711 VAN NESS AVENUE, SUITE 300
SAN FRANCISCO, CA 94102
FOR: VERIZON CALIFORNIA, INC.

State Service

ROBERT A. BARNETT
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 2208
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

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