

00001

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Public Hearing

March 9, 2004  
Gerald, Missouri  
Volume 2

In the Matter of the Application )  
of Fidelity Telephone Company for )  
Authority to File, Establish, and ) Case No. IR-2004-0272  
Put into Effect New, Increased, )  
or Revised Rates and Charges for )  
Telephone Service )

KENNARD JONES, presiding,  
Regulatory Law Judge

REPORTED BY:  
Jennifer L. Leibach  
ASSOCIATED COURT REPORTERS

00002

A P P E A R A N C E S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

W.R. ENGLAND  
BRYDON, SWEARENGEN & ENGLAND  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102  
(573) 635-7166

FOR: Fidelity Telephone

BRUCE H. BATES, General Counsel  
P.O. Box 360  
Jefferson City, Missouri 65102  
(573) 751-8702

FOR: Staff of the Public Service  
Commission

MICHAEL DANDINO, General Counsel  
P.O. Box 2230  
Jefferson City, Missouri 65102  
(573) 751-5559

FOR: Office of the Public Counsel and  
the Public

00003

PROCEEDINGS

1  
2 JUDGE JONES: Good afternoon. I'd like to  
3 welcome you all to this local public hearing for Fidelity  
4 Telephone Company. It's Case No. IR-2004-0272. With that  
5 said, can you all hear me? This hearing is being held to --  
6 can you all hear me now? Okay. Can you hear me now?

7 This hearing is being held to give the public  
8 an opportunity to comment on Fidelity Telephone Company's  
9 proposed rate increase. Specifically, Fidelity is seeking  
10 \$2.3 million in rate increases for its service area, which of  
11 course includes more than Gerald, Missouri.

12 My name is Kennard Jones. I am the Judge  
13 presiding over this matter. Seated to my left is Robert  
14 Clayton. He is one of the several Commissioners appointed to  
15 the Missouri Public Service Commission. Although the  
16 remaining Commissioners aren't present, they will have an  
17 opportunity to read the transcript from this proceeding and  
18 your comments that will be included therein.

19 The Commission is a state agency, which  
20 regulates investor-owned utility companies in Missouri. It  
21 is the Commission's duty to ensure that these services are  
22 safe, reliable, and that the rates charged are just and  
23 reasonable. In overseeing the rates charged by the utility  
24 companies, the Commission must balance the interest of your  
25 sales as rate payers, and the company's shareholders.

00004

1                   Is this coming through okay? Well, we'll just  
2 try to get through this as best we can. As stated earlier --  
3 here, why don't I just try speaking up.

4                   As stated earlier, the purpose of this hearing  
5 is to give you all an opportunity to voice your comments  
6 about Fidelity's proposed rate increase. This is an official  
7 hearing of the Commission, and a transcript will be made a  
8 part of the official record. Accordingly, all of your  
9 comments will be made under oath. In addition to this local  
10 public hearing, another one will be held in Sullivan,  
11 Missouri, this evening.

12                  Also, a trial-type hearing will be held from  
13 April 7 to April 9, 2004, in Jefferson City, Missouri, where  
14 all of the parties to this case will put on witnesses. That  
15 hearing will also be open to the public.

16                  For today, those of you who support the  
17 proposed increase will comment first, then those opposing  
18 will comment second. As a witness, you will be asked to step  
19 to this microphone, and I will ask you to spell your name for  
20 the record, and I'll probably ask you if you're a customer of  
21 Fidelity Telephone Company, and then you can proceed with  
22 your comments.

23                  There may be questions from Mr. Clayton or  
24 from some of the attorneys that are present. Please do not  
25 step away from the podium until you are excused. At this

00005

1 time, I'll take entries of appearance from the attorneys that  
2 are present.

3 MR. ENGLAND: Your Honor, let the record  
4 reflect the appearance of W.R. England appearing on behalf of  
5 the applicant, Fidelity Telephone Company. My mailing  
6 address is Post Office Box 456, Jefferson City, Missouri  
7 65102.

8 JUDGE JONES: Staff?

9 MR. BATES: Your Honor, appearing on behalf of  
10 the Staff of the Missouri Public Service Commission, Bruce H.  
11 Bates. My mailing address is Post Office Box 360, Jefferson  
12 City, Missouri, 65102.

13 MR. DANDINO: Michael Dandino, Office of the  
14 Public Counsel, Post Office Box 2230, Jefferson City,  
15 Missouri, 65102, representing the Office of Public Counsel  
16 and the Public.

17 JUDGE JONES: Are there any other attorneys  
18 present that need to introduce themselves? Hearing none,  
19 we'll move on to the first witness. Norman Eckerle. Mr.  
20 Eckerle?

21 MR. ECKERLE: Yes, I just came for --

22 JUDGE JONES: You just came for what?

23 MR. ECKERLE: I just came to give some  
24 comments as I did a while ago. I didn't really come to  
25 testify.

00006

1 JUDGE JONES: Your comments are what we want  
2 to hear, so you may move up to the microphone here. Just a  
3 moment, just a moment -- go ahead and have a seat, but just a  
4 moment. Mr. Clayton?

5 COMMISSIONER CLAYTON: I just wanted to  
6 introduce myself. My name is Robert Clayton. I am one of  
7 the five Public Service Commissioners that decide cases like  
8 this. We only have three Commissioners right now with two  
9 vacancies, and we anticipate those coming about any time now,  
10 but I did want to make it clear that the testimony that is  
11 offered will be taken back and made part of the record, and  
12 that the other Commissioners will be interested in what you  
13 have to say, who could not be here in person, so it's  
14 important that if you do have comments that they be made on  
15 the record. Other than that, I look forward to hearing your  
16 testimony.

17 MR. DANDINO: Your Honor, may I make a brief  
18 statement?

19 JUDGE JONES: Yes, Mr. Dandino.

20 MR. DANDINO: I just wanted to encourage  
21 everyone here, as you've taken the time to come out to come  
22 to the public hearing, and I thank you very much, and I think  
23 it's very important that you get your comments on the record.  
24 What we went through before, the question and answer session  
25 before, was -- it was more for you to ask questions of the

00007

1 company and the Staff, and clarify some of those questions.  
2 Now is a very important part, and really the  
3 most important part is for to you give your comments to the  
4 Commissioners on the record as Commissioner Clayton said,  
5 that they'll take this record and the other Commissioners are  
6 required to read it.

7 In addition, this record is part of the record  
8 that our office will refer to as part of our -- you know,  
9 making our position and arguing the case on behalf of the  
10 rate payers, so even though you feel that, well, you know, I  
11 already made those comments, I had a question, it's still  
12 important for you to come forward and make these comments on  
13 the record.

14 Thank you, your Honor, and thank you for  
15 coming.

16 JUDGE JONES: Okay. Mr. Eckerle, will you  
17 please raise your right hand?

18 (THE WITNESS WAS SWORN.)

19 JUDGE JONES: Okay. You may proceed with your  
20 comments.

21 MR. ECKERLE: Well, it is my feeling that  
22 raising rates puts you in a position of losing customers  
23 rather than gaining customers, and I -- I can kind of go  
24 along with the service rates, but for the basic monthly  
25 telephone rate, I feel that's going to create a hardship on a

00008

1 lot of people, especially those that are on a fixed income.

2 JUDGE JONES: Okay. Are there questions for  
3 Mr. Eckerle from any of the attorneys?

4 MR. ENGLAND: No, thank you.

5 MR. BATES: No, thank you.

6 MR. DANDINO: Yes, your Honor, just briefly.

7 Mr. Eckerle, do you think the amount that the people pay for  
8 basic service for their local service, can they usually call  
9 everyone they need to call, like doctor's offices and schools  
10 and everything in the community or do they have to make toll  
11 calls?

12 MR. ECKERLE: It depends a little on where  
13 you're located, but yes, I think that it's -- I think that  
14 they can call most anybody from New Haven, we can call  
15 Gerald, we can call Sullivan; however, we don't have much  
16 connection in Sullivan.

17 MR. DANDINO: Where do most people deal, you  
18 know, where do you go to Union or is it Washington, where do  
19 most of the people in Gerald kind of rely on for their  
20 services and --

21 MR. ECKERLE: I'm really from New Haven, and  
22 it's a long distance call from New Haven to Union, also to  
23 Washington, to Marthasville, to Hermann.

24 MR. DANDINO: That's all I have, your Honor.

25 JUDGE JONES: Commissioner Clayton.



00009

1 COMMISSIONER CLAYTON: Mr. Eckerle.

2 MR. ECKERLE: Yes.

3 COMMISSIONER CLAYTON: First of all, I want to  
4 thank you for coming out today and actually coming up to the  
5 microphone because this is what makes a difference. My first  
6 question is one of clarification. You are here to testify in  
7 opposition to the rate increase for basic service, but you  
8 are not opposed to the increase for the non-basic service; is  
9 that correct?

10 MR. ECKERLE: I would like to be opposed to  
11 all of them, but I understand that some things have to be  
12 raised. Yes, I'm here to oppose the basic cost, the others I  
13 can live with.

14 COMMISSIONER CLAYTON: You are a customer of  
15 Fidelity right now?

16 MR. ECKERLE: I am.

17 COMMISSIONER CLAYTON: And right now, you pay  
18 a basic rate of \$7.55; is that correct?

19 MR. ECKERLE: I'd have to look, but I'm sure  
20 that's correct.

21 COMMISSIONER CLAYTON: Pretty close. Okay.  
22 Also, I notice there's an outstate calling area plan. Do you  
23 subscribe to that service?

24 MR. ECKERLE: Yes.

25 COMMISSIONER CLAYTON: And what does that get

00010

1 for you? What calling area do you get?

2 MR. ECKERLE: Well, I think we go everywhere  
3 for, like, \$.15 a minute or something. I don't know just  
4 what they call the program, but that's -- we have that.

5 COMMISSIONER CLAYTON: How about quality of  
6 service, are you happy with the quality of service? Do the  
7 phones work, do they ring, when you make your call, does it  
8 connect, do you have any problems?

9 MR. ECKERLE: No, we don't really experience  
10 any problems.

11 COMMISSIONER CLAYTON: Okay. Does the phone  
12 ever click off or turn off or the phone system go down that  
13 you recall or is it usually always working.

14 MR. ECKERLE: I think that I'd have to say  
15 that it's okay.

16 COMMISSIONER CLAYTON: Just okay or --

17 MR. ECKERLE: Well.

18 COMMISSIONER CLAYTON: -- it works.

19 MR. ECKERLE: Okay. It works.

20 COMMISSIONER CLAYTON: Where is New Haven from  
21 here.

22 MR. ECKERLE: It's north about 20 miles on  
23 Highway 100, west of Washington.

24 COMMISSIONER CLAYTON: Is it on the river?

25 MR. ECKERLE: Yeah.

00011

1                   COMMISSIONER CLAYTON: Well, I come from  
2 Hannibal, Missouri, and we're on the Mississippi. I've got  
3 some experience on river-town living, so thank you for coming  
4 today.  
5                   JUDGE JONES: Mr. Eckerle, is that all you  
6 had?  
7                   MR. ECKERLE: Yes.  
8                   JUDGE JONES: Okay. Thank you. Next we'll  
9 have Kathleen -- is it Stroisch? Ms. Stroisch, could you  
10 raise your right hand, please?  
11                   (THE WITNESS WAS SWORN.)  
12                   JUDGE JONES: Okay. Before you give your  
13 comments, will you please spell your name for us.  
14                   MS. STROISCH: Kathleen is K-A-T-H-L-E-E-N,  
15 S-T-R-O-I-S-C-H.  
16                   JUDGE JONES: And you are a customer of  
17 Fidelity?  
18                   MS. STROISCH: I am a customer -- well, I will  
19 explain that in just a minute.  
20                   JUDGE JONES: Okay.  
21                   MS. STROISCH: And I come from Owensville.  
22                   JUDGE JONES: Okay. You can go ahead with  
23 your comments.  
24                   MS. STROISCH: I was a customer of Fidelity,  
25 up until about four years ago, and then I changed to MCI,

00012

1 because I got a better rate. I changed to the toll, and I  
2 changed to long distance.

3 JUDGE JONES: Oh, just a moment. You may  
4 proceed.

5 MS. STROISCH: Okay. I pay Fidelity about  
6 \$21.11 a month. That's why I switched. What I want to say  
7 is I bought internet, I thought, through Fidelity, and I paid  
8 about \$134, I believe. It was a very good deduction. I  
9 saved about \$90, but I would not have done that if I had  
10 known Fidelity was going to go up, because now I'm wishing I  
11 could get out of Fidelity. This is the one bill I hate to  
12 pay every month because I don't feel like I use it. I don't  
13 mind paying if I use it, but I pay \$21.11, and I don't make a  
14 single call on Fidelity. I think that's what I want to say.

15 JUDGE JONES: It sounds like you're keeping  
16 Fidelity to have internet service.

17 MS. STROISCH: That's correct.

18 JUDGE JONES: Okay.

19 MS. STROISCH: That -- well, okay.

20 JUDGE JONES: Are there any questions from any  
21 of the attorneys present?

22 MR. ENGLAND: No, your Honor.

23 MR. BATES: No, thank you.

24 MR. DANDINO: Yes, your Honor. Ms. Stroisch.

25 MS. STROISCH: Long O.

00013

1                   MR. DANDINO: I just wanted to ask you a few  
2 questions. You say you have MCI for your toll and long  
3 distance.

4                   MS. STROISCH: That's right.

5                   MR. DANDINO: Do you, like, when you're  
6 calling your neighbor, do you use a cell phone?

7                   MS. STROISCH: No, well, three of my neighbors  
8 I can call -- I guess it's Fidelity, it's just a regular  
9 call, okay. Two of my neighbors who live from here to you  
10 from me, they have a different telephone system, so I don't  
11 call, I walk.

12                   MR. DANDINO: Okay.

13                   MS. STROISCH: Okay.

14                   MR. DANDINO: Can you call them or would it be  
15 a toll call?

16                   MS. STROISCH: I could call them, but it's a  
17 toll call, which is ridiculous to me because they're  
18 neighbors. They have GTI or GTC or something like that.

19                   MR. DANDINO: Now, so the only reason you're  
20 -- so you don't -- you just don't make local phone calls, is  
21 that what you're telling the Commission?

22                   MS. STROISCH: No, no, I make local phone  
23 calls, but Fidelity doesn't charge for that, I guess, but  
24 it's a local call.

25                   MR. DANDINO: That's what that 21.11 a month

00014

1 is for.  
2 MS. STROISCH: Well, believe it or not,  
3 there's no phone calls on here. It's all residential  
4 telephone line, the \$7.55, and taxes, federal tax, state tax,  
5 county tax, there are no phone calls on here. I'll show it  
6 to you. It's all --  
7 JUDGE JONES: So you're saying that's the bill  
8 you have that's just for basic just to use the basic line?  
9 MS. STROISCH: It's just for having the  
10 telephone, as far as I can see.  
11 MR. DANDINO: Uh-huh. That's right.  
12 MS. STROISCH: Okay.  
13 MR. DANDINO: I'm sorry, go ahead.  
14 MS. STROISCH: I'm sorry, and there's a  
15 Fidelity -- I'm trying to see what they call it. The top  
16 part and then at the bottom, there's Fidelity Systems Plus  
17 that you're charged for, and that's that maintenance wire,  
18 which I found out was voluntary. Another state tax, another  
19 county tax, and a current plus 3.69 a month, I don't know  
20 what that's for. I don't understand it. I was going to ask  
21 that question, but time ran out.  
22 MR. DANDINO: Okay. So that's 3.69 a month  
23 that was separate from the inside wiring?  
24 MS. STROISCH: Yes.  
25 MR. DANDINO: Okay. Before you leave, you

00015

1 might want to talk to the Fidelity people and get an  
2 explanation of what that is, but as far as the MCI and the  
3 long distance, the toll, you can find cheaper rates going to  
4 someone else, is that it?  
5 MS. STROISCH: That's correct. That's why I  
6 switched.  
7 MR. DANDINO: That's all I have. Thank you.  
8 MR. ENGLAND: Your Honor, I do have a question  
9 based on Mike's earlier questioning.  
10 JUDGE JONES: You go right ahead, Mr. England.  
11 MR. ENGLAND: Ms. Stroisch, take a look at  
12 your bill, if you would, please. My understanding is that  
13 3.69 to Systems Plus is 3.50 for inside wire plus taxes, I  
14 believe. Can you tell that from the bill?  
15 MS. STROISCH: No, sir. The 3.69 is added on,  
16 because the total -- the total -- the Fidelity company bill  
17 was \$17.42, and then they got Fidelity Systems Plus,  
18 Incorporated 3.69 came out to be 21.11.  
19 MR. ENGLAND: Okay. We'll have to -- we'll  
20 visit with you after the hearing. Thank you.  
21 JUDGE JONES: Commissioner Clayton.  
22 COMMISSIONER CLAYTON: Ms. Stroisch, I'm  
23 confused, so I need to go over a couple of things, okay?  
24 First of all, your local -- your local phone calls are  
25 handled by Fidelity, correct?

00016

1 MS. STROISCH: I guess that's true, yes.

2 COMMISSIONER CLAYTON: So when you call, do  
3 you live in town in Owensville?

4 MS. STROISCH: No, sir.

5 COMMISSIONER CLAYTON: Okay, well, if you call  
6 a neighbor quote-unquote in Owensville, local phone call,  
7 that's handled by Fidelity?

8 MS. STROISCH: That's true.

9 COMMISSIONER CLAYTON: And then MCI is your  
10 long distance carrier?

11 MS. STROISCH: And toll.

12 COMMISSIONER CLAYTON: And toll, which would  
13 be your intraLATA calling. Now, MCI would handle that phone  
14 call to the neighbor that's as far away from you and Mr.  
15 Dandino?

16 MS. STROISCH: That's correct.

17 COMMISSIONER CLAYTON: So MCI handles that?

18 MS. STROISCH: Yes.

19 COMMISSIONER CLAYTON: Okay. You changed that  
20 four years ago?

21 MS. STROISCH: I'm not sure exactly when we  
22 changed.

23 COMMISSIONER CLAYTON: Okay. In Owensville,  
24 do you have any other choices for local phone calls, any  
25 other companies, do you have any choices or is Fidelity the



00017

1     only?  
2                   MS. STROISCH: Not as far as I know.  
3                   COMMISSIONER CLAYTON: Fidelity is the only  
4     game in town?  
5                   MS. STROISCH: Yes.  
6                   COMMISSIONER CLAYTON: Okay. And then you  
7     said that you also got internet service through Fidelity?  
8                   MS. STROISCH: Yes.  
9                   COMMISSIONER CLAYTON: And is that DSL service  
10    or is that an extra line for dial-up service?  
11                  MS. STROISCH: Does DSL mean through the  
12    telephone.  
13                  COMMISSIONER CLAYTON: Is it fast?  
14                  MS. STROISCH: I do not have the rapid.  
15                  COMMISSIONER CLAYTON: You don't? I beg your  
16    pardon.  
17                  MS. STROISCH: I don't have the fast.  
18                  COMMISSIONER CLAYTON: Oh, you don't have the  
19    fast. Okay. Okay. So when you said that you don't like to  
20    pay because you don't use this service, you actually do use  
21    the service?  
22                  MS. STROISCH: Yes, I guess we do, uh-huh.  
23                  COMMISSIONER CLAYTON: Okay.  
24                  MS. STROISCH: They never list them on here,  
25    so you don't realize that.

00018

1                   COMMISSIONER CLAYTON: List the local phone  
2 calls?

3                   MS. STROISCH: That's right.

4                   COMMISSIONER CLAYTON: Mine doesn't either. I  
5 think the local calls are unlimited in number, you're not  
6 restricted on the number of local phone calls you can make,  
7 are you?

8                   MS. STROISCH: No.

9                   COMMISSIONER CLAYTON: Okay. So your concern  
10 is principally one of cost?

11                  MS. STROISCH: No, it's principally the  
12 internet, because I paid a year in advance, and if I would  
13 drop Fidelity, am I going to lose that money?

14                  COMMISSIONER CLAYTON: I see. I see. Do you  
15 have any concerns about any of the other non-basic services  
16 that are involved in this proposed rate increase? The out of  
17 state calling area, directory assistance, or is it only the  
18 basic local service that you're concerned about?

19                  MS. STROISCH: I would primarily say the  
20 basic.

21                  COMMISSIONER CLAYTON: Okay. How is your  
22 service, does your phone work, does it ever not work, does it  
23 blackout?

24                  MS. STROISCH: No, I think the phone service  
25 is good. In fact, I would commend them on their service,

00019

1 because we got hit by lightning quite a few times, and they  
2 always came out and worked on that until they got it fixed.

3 COMMISSIONER CLAYTON: And that's a rather  
4 curious statement. You say you got hit by lightning several  
5 times?

6 MS. STROISCH: Yes, sir.

7 COMMISSIONER CLAYTON: Your house did or you  
8 personally?

9 MS. STROISCH: The telephone.

10 COMMISSIONER CLAYTON: The telephone did.

11 Okay. And you were satisfied that the telephone was turned  
12 back on in a prompt manner?

13 MS. STROISCH: Yes.

14 COMMISSIONER CLAYTON: Okay. Okay. I don't  
15 think I have any other questions. Thank you for coming here  
16 today.

17 MS. STROISCH: You're welcome.

18 JUDGE JONES: Ms. Stroisch, from looking at  
19 your bill, it seems like you have trouble understanding it.

20 MS. STROISCH: That could be.

21 JUDGE JONES: Okay. Do you have trouble  
22 regularly understanding your telephone bill that you get?

23 MS. STROISCH: I've never questioned it, I  
24 don't think, before.

25 JUDGE JONES: Okay.

00020

1 MS. STROISCH: But since they were going to  
2 raise it, I questioned it.

3 JUDGE JONES: All right. Thank you, Ms.  
4 Stroisch, you may step down.

5 MS. STROISCH: You're welcome.

6 JUDGE JONES: And next we have Ann, is it  
7 Grief, Greife?

8 MS. GREIFE: Well, any -- what this fellow  
9 here said totally covered what I would have said.

10 JUDGE JONES: If you want, you can just step  
11 right up here and just say that, and it will be on the record  
12 to let the other Commissioners know that there's someone else  
13 who feels the same way.

14 And could you raise your right hand please?

15 (THE WITNESS WAS SWORN.)

16 JUDGE JONES: And could you say and spell your  
17 name, please?

18 MS. GREIFE: Ann A-N-N, A., Greife,  
19 G-R-E-I-F-E.

20 JUDGE JONES: Okay. Ms. Greife, you may  
21 proceed with your comments.

22 MS. GREIFE: Well, the only thing, I'm on  
23 Social Security, and I mean, I have a -- my income is not  
24 that high. In fact, it's a little over 600 a month, so  
25 anything I cannot put on, you know, in -- in the telephone,

00021

1     okay, that's what I want to do.

2                     JUDGE JONES:  Okay.

3                     MS. GREIFE:  Because if they keep raising it,  
4     then I just can't afford a phone.

5                     JUDGE JONES:  Are there any questions from the  
6     attorneys present?

7                     MR. ENGLAND:  No, thank you.

8                     MR. DANDINO:  Yes, your Honor.  Once again,  
9     thank you for coming.  How do you say it Grivey?

10                    MS. GREIFE:  Greife.

11                    MR. DANDINO:  Okay.

12                    MS. GREIFE:  Yeah, it's German, so it's --  
13     sort of the E and I switch around.

14                    MR. DANDINO:  With Dandino, I have trouble  
15     with German names.  Well, you said you can't afford it, and  
16     this is an increase, would it -- would it be of assistance to  
17     you to have this, you know, the full rate increase staggered  
18     in or phased in over a number of years, would that help you  
19     out?

20                    MS. GREIFE:  I don't understand what you're  
21     saying now.

22                    MR. DANDINO:  Okay.  They are proposing  
23     approximately a, what was it, \$4 rate increase?

24                    MS. GREIFE:  Yeah.

25                    MR. DANDINO:  So let's say they put in \$1.00

00022

1 this year or \$2.00 this year and then two years from now put  
2 in another \$2.00.  
3 MS. GREIFE: Well, it might help if it really  
4 worked that way.  
5 MR. DANDINO: If it would really work that  
6 way?  
7 MS. GREIFE: Yeah.  
8 MR. DANDINO: What do you mean?  
9 MS. GREIFE: Well, so often they tell you  
10 they're going to do this or that, I don't mean just the  
11 telephone company, I mean everyone.  
12 MR. DANDINO: Sure, okay.  
13 MS. GREIFE: And it just don't work that way.  
14 MR. DANDINO: Okay. Okay. What about do you  
15 have any of the OCA services?  
16 MS. GREIFE: No, I have nothing but telephone,  
17 straight telephone.  
18 MR. DANDINO: Just a straight telephone, and  
19 you need it, I guess, just to have emergency access and local  
20 people call you, is that right?  
21 MS. GREIFE: Yeah.  
22 MR. DANDINO: What town do you live in, ma'am?  
23 MS. GREIFE: Right down the road here.  
24 MR. DANDINO: Okay. You're right here in  
25 Gerald?

00023

1 MS. GREIFE: Yeah.  
2 MR. DANDINO: I think that's all I have.  
3 Thank you very much.  
4 MS. GREIFE: Okay.  
5 JUDGE JONES: Just a moment, Ms. Greife.  
6 Commissioner Clayton.  
7 COMMISSIONER CLAYTON: Ms. Greife, I get a  
8 shot at you, too, okay?  
9 MS. GREIFE: Okay.  
10 COMMISSIONER CLAYTON: And I think you've  
11 already answered a number of the questions I've jotted down  
12 here. You live in town in Gerald?  
13 MS. GREIFE: No, just down the road here, this  
14 is out of town.  
15 COMMISSIONER CLAYTON: So we're out of town  
16 right now. So we're, what, in the suburbs, right now, of  
17 Gerald?  
18 MS. GREIFE: Yes, if you want to call it that.  
19 COMMISSIONER CLAYTON: Okay. But you are  
20 within the Gerald calling scope, so calling into Gerald is a  
21 local call?  
22 MS. GREIFE: Yeah, just Gerald.  
23 COMMISSIONER CLAYTON: Okay.  
24 MS. GREIFE: I can't call the other direction.  
25 COMMISSIONER CLAYTON: You can't go the other

00024

1 direction?  
2 MS. GREIFE: No, like Union, or in fact --  
3 COMMISSIONER CLAYTON: Union is that way,  
4 right?  
5 MS. GREIFE: Yes.  
6 COMMISSIONER CLAYTON: It's that way, and New  
7 Haven is up this way?  
8 MS. GREIFE: Well, yeah.  
9 COMMISSIONER CLAYTON: The record is going to  
10 be real interesting because I'm saying this way and that way  
11 and it's not going to pick up the pointing anyway. You don't  
12 have a cell phone, do you?  
13 MS. GREIFE: No.  
14 COMMISSIONER CLAYTON: You don't use that. Is  
15 there cell phone service in Gerald?  
16 MS. GREIFE: I would assume so, I don't know.  
17 COMMISSIONER CLAYTON: You don't know. Okay.  
18 MS. GREIFE: Huh-uh, I don't know.  
19 COMMISSIONER CLAYTON: No problem. And you  
20 don't use internet service?  
21 MS. GREIFE: No.  
22 COMMISSIONER CLAYTON: No internet. Okay.  
23 And then you mentioned that you had the basic service with no  
24 bells and whistles, correct?  
25 MS. GREIFE: No.



00025

1 COMMISSIONER CLAYTON: What is your total  
2 phone bill per month right now?  
3 MS. GREIFE: About \$21.  
4 COMMISSIONER CLAYTON: Does that have the  
5 inline repair cost in it or is it --  
6 MS. GREIFE: Well, I heard you talking about  
7 that just now. I assume it would --  
8 COMMISSIONER CLAYTON: Okay.  
9 MS. GREIFE: -- because I've never had  
10 anything taken out of it.  
11 COMMISSIONER CLAYTON: Okay. Are you happy  
12 with the service, does it work?  
13 MS. GREIFE: Yeah, I have no problems with  
14 that.  
15 COMMISSIONER CLAYTON: If you had --  
16 MS. GREIFE: Just when the electric goes out,  
17 I have a little problem, but I guess everybody does.  
18 COMMISSIONER CLAYTON: Does the phone stop  
19 working when the electricity goes out?  
20 MS. GREIFE: A lot of times, yeah.  
21 COMMISSIONER CLAYTON: Does it really? If you  
22 have called to make a complaint to the company, do they  
23 respond in an adequate manner?  
24 MR. GREIFE: Yeah.  
25 COMMISSIONER CLAYTON: Never had any problems

00026

1 or got the run-around or anything like that?  
2 MS. GREIFE: No.  
3 COMMISSIONER CLAYTON: Okay. I don't believe  
4 I have any other questions. Thank you for coming.  
5 JUDGE JONES: Thank you, Ms. Greife, you may  
6 step down. I've called forward all the witnesses on the  
7 sign-up list. Is there anybody else here who did not sign up  
8 who now would like to make comments? Please step forward.  
9 JUDGE JONES: And will you raise your right  
10 hand, please?  
11 (THE WITNESS WAS SWORN.)  
12 JUDGE JONES: And please say and spell your  
13 name.  
14 MS. MERRILL: I'm Alice Merrill,  
15 M-E-R-R-I-L-L, 5656 Buffalo Ridge Road, Gerald.  
16 JUDGE JONES: Okay. Ms. Merrill, you may  
17 proceed with your comments.  
18 MS. MERRILL: I thought there was several  
19 things that maybe the Commission ought to be aware of that  
20 the company has improved over the 28 years that I've been  
21 living here, and done a great deal for their customers.  
22 However, we do have to keep a phone in order when the  
23 electricity would go out, if there was a calamity, you have  
24 to have a phone, because the cell phone that you were using  
25 can't be recharged, or the carry-around phone won't work

00027

1 either, so there -- you do have to keep that, and on the --  
2 additionally, one of the things, though, that happens with  
3 this company is that people need to reduce how much they're  
4 spending on communication, and so they have been using cell  
5 phones for long distance. I used to pay as much as \$125 or  
6 more a month, so I went to a cell phone in order to reduce  
7 that because the territory that they can cover is too  
8 limited.

9                   The Southwestern Bell offers for a fee that  
10 you can call other areas like the Fidelity area, but this  
11 company when I've asked, have said they don't offer that  
12 service, so I'm -- I had to go to cell phone, so I think you  
13 need to think about the territory that a company covers.  
14 That's all I have to say.

15                   JUDGE JONES: Okay. Ms. Merrill, are there  
16 any questions?

17                   MR. ENGLAND: If I may, and if you're willing  
18 to, could you give me an idea of what kind of a plan you have  
19 on your cell phone, how many minutes?

20                   MS. MERRILL: MCI? Oh, I have 3,000.

21                   MR. ENGLAND: 3,000 minutes?

22                   MS. MERRILL: Uh-huh, because I do a lot of  
23 long distance as well.

24                   MR. ENGLAND: I see. And approximately,  
25 again, if you're willing to reveal this, what do you pay a

00028

1 month for that?  
2 MS. MERRILL: That's about 48.  
3 MR. ENGLAND: Okay. Thank you.  
4 MS. MERRILL: See, I've reduced it -- see, I  
5 call a lot of Union and a lot of Washington because I do a  
6 lot of organization work, and so it really -- I was running  
7 sometimes over \$150 dollars a month.  
8 MR. ENGLAND: You mentioned that you had 100  
9 -- averaging \$120 IN long distance fees before that.  
10 MS. MERRILL: Yeah, well, that would include  
11 the Southwestern Bell territory.  
12 MR. ENGLAND: Okay. Thank you.  
13 JUDGE JONES: Any questions from any other  
14 attorneys, Mr. Dandino?  
15 MR. DANDINO: Ms. Merrill, could you call --  
16 you were running bills of -- toll bills of about \$125 a  
17 month?  
18 MS. MERRILL: I would, on occasion, during the  
19 year.  
20 MR. DANDINO: And would that just be the kinds  
21 of the local toll rather than --  
22 MS. MERRILL: Well, that would include  
23 everything.  
24 MR. DANDINO: Okay. Okay. And you said --  
25 MS. MERRILL: Now, that would not include the

00029

1 cell phone.  
2 MR. DANDINO: That's right.  
3 MS. MERRILL: See, that was before I used the  
4 cell phone.  
5 MR. DANDINO: Okay. Okay. And for local  
6 calling, what areas can you call with your -- just the basic  
7 service?  
8 MS. MERRILL: New Haven, Owensville, Sullivan,  
9 Gerald.  
10 MR. DANDINO: Okay.  
11 MS. MERRILL: I can call those on your basic  
12 phone.  
13 MR. DANDINO: But.  
14 MS. MERRILL: But halfway to Beaufort, now,  
15 you don't understand where Beaufort is.  
16 COMMISSIONER CLAYTON: I'm going to ask.  
17 MR. DANDINO: That's about seven or eight  
18 miles down the road.  
19 MS. MERRILL: Just down the road, people are  
20 on 484, which is a Southwestern Bell exchange, and people  
21 live next door to each other, and they can't call without  
22 paying a fee.  
23 MR. DANDINO: You said you make a lot of calls  
24 to Union, Union is the county seat --  
25 MS. MERRILL: Yes, it is.

00030

1 MR. DANDINO: -- of this county?

2 MS. MERRILL: And Washington, of course, is  
3 our big business center.

4 MR. DANDINO: Right, and you think a lot of  
5 people in this area would make -- be making calls to Union or  
6 Washington?

7 MS. MERRILL: Oh, yeah, yeah.

8 MR. DANDINO: And that would be so, then, they  
9 would have to buy the OCA service, would the OCA service  
10 reach those, Union and Washington?

11 MS. MERRILL: No, no, you see, Southwestern  
12 Bell has a little program or something that I think it's \$30  
13 or something a year or a month or something and they can call  
14 into the other areas like Fidelity. Well, when I asked  
15 Fidelity if they could do that for me visa-versa, they said  
16 they didn't offer the service.

17 MR. DANDINO: I believe that was Southwestern  
18 Bell's local plus service.

19 MS. MERRILL: Well, I didn't hear you.

20 MR. DANDINO: Southwestern Bell's local plus  
21 service?

22 MS. MERRILL: Yeah, I guess that's what you  
23 say, yeah.

24 MR. DANDINO: Okay. Okay. Well, that's not  
25 available anymore.

00031

1 MS. MERRILL: Now, if they took some of this  
2 money they were getting and made that service possible, I  
3 think some of the people would come back into the fold.

4 MR. DANDINO: So if they expand the local  
5 calling scope --

6 MS. MERRILL: Yeah, people have done a lot of  
7 things, not even what I have done, but to avoid this toll  
8 situation.

9 MR. DANDINO: Uh-huh --

10 MS. MERRILL: Because Franklin County, we're  
11 on the western part of Franklin County, but most of the  
12 business is east.

13 MR. DANDINO: Do you think the --

14 MS. MERRILL: So you're bound to be needing to  
15 make those calls in the southwestern territory.

16 MR. DANDINO: Would you or other people you  
17 know in the area, do you think they would be willing to pay  
18 more for local service if the calling area was larger and  
19 they could call places like Union and Washington?

20 MS. MERRILL: I can only judge by myself.

21 MR. DANDINO: Sure.

22 MS. MERRILL: But the answer is yes.

23 MR. DANDINO: Okay. That's all I have, your  
24 Honor. Thank you very much, Ms. Merrill.

25 JUDGE JONES: Commissioner Clayton.

00032

1                   COMMISSIONER CLAYTON: Now, how far is  
2 Beaufort, eight miles that way?

3                   MS. MERRILL: From my house, it's nine miles.

4                   COMMISSIONER CLAYTON: Nine miles. And you  
5 want to be able to call Beaufort or you can call Beaufort?

6                   MS. MERRILL: Well, the fuel man up there does  
7 his customers a favor by getting an 800 number, bless his  
8 heart.

9                   COMMISSIONER CLAYTON: You've been a customer  
10 -- did I understand correctly that you've been a customer for  
11 30 years of Fidelity?

12                  MS. MERRILL: Well, since about '75.

13                  COMMISSIONER CLAYTON: Well, that's pretty  
14 close?

15                  MS. MERRILL: Just wanted to be exact.

16                  COMMISSIONER CLAYTON: Well, I appreciate  
17 that. We appreciate that. You said that service has  
18 improved over that time?

19                  MS. MERRILL: Yeah.

20                  COMMISSIONER CLAYTON: What do you mean by  
21 that? What was wrong before that is right now or what things  
22 have changed?

23                  MS. MERRILL: Well, see, when I got out here,  
24 we had party lines, and they were pretty sorry, particularly  
25 if some old lady wanted to take a nap and took the phone off



00033

1 the hook, so we just didn't get to use the phone, and then  
2 maybe she forgot to put it back, so it was off all weekend.

3 COMMISSIONER CLAYTON: Oh, my gosh.

4 MS. MERRILL: But I called Public Service at  
5 the time, and the law had gone in about privacy thing, so  
6 they were going to have to put in private lines, and so they  
7 were a little late getting them in, but we finally got a  
8 private line, but the Public Service did me a favor of moving  
9 me to a four-party line instead of an eight-party one, and  
10 those people didn't leave it off the hook.

11 COMMISSIONER CLAYTON: Okay. Good, good. So  
12 you are happy with the quality of service that's now being  
13 offered?

14 MS. MERRILL: Very much so, very much.

15 COMMISSIONER CLAYTON: Have you ever had  
16 occasion to call and lodge a complaint or have a problem that  
17 you needed to have fixed, were you satisfied with that result  
18 if you ever had to?

19 MS. MERRILL: Well, way back, I got an  
20 answering machine that required more power than they were  
21 giving out of the house, and they upgraded it eventually  
22 because I said I went to an engineer and he told me what was  
23 wrong, so then they upgraded it.

24 COMMISSIONER CLAYTON: Do you recall the last  
25 time that rates were increased by Fidelity?

00034

1 MS. MERRILL: I don't pay attention to that,  
2 so I don't know.  
3 COMMISSIONER CLAYTON: Okay. Are the rates  
4 higher than what they were when you had party lines?  
5 MS. MERRILL: Oh, yeah.  
6 COMMISSIONER CLAYTON: Okay. But it's worth  
7 it?  
8 MS. MERRILL: Oh, yes.  
9 COMMISSIONER CLAYTON: Okay. Thank you very  
10 much for coming?  
11 MS. MERRILL: Okay.  
12 JUDGE JONES: Thank you, Ms. Merrill, you may  
13 step down.  
14 (THE WITNESS WAS SWORN).  
15 JUDGE JONES: And will you say and spell your  
16 name, please?  
17 MR. METZGER: Dave Metzger, M-E-T-Z-G-E-R.  
18 JUDGE JONES: Mr. Metzger, you may proceed.  
19 MR. METZGER: Sir.  
20 JUDGE JONES: You may proceed.  
21 MR. METZGER: I can't -- I didn't --  
22 JUDGE JONES: You may go ahead with your  
23 testimony.  
24 MR. METZGER: Oh, I've had complaints for  
25 several years, nearly five years. I make a phone call and I

00035

1 get three, four, five, six charges for the same call within  
2 sometimes as little as five minutes. I've gone over this in  
3 detail with Fidelity and all of the -- all of the assistants  
4 over there, they're great to deal with, and nobody has given  
5 me an explanation why.

6 Right now with Public Service, they've asked  
7 me to keep track of all of my phone calls, and I'm doing  
8 that. When I use the fax, it gives the day, the date, the  
9 time, how long I've talked, and shortly I'm going to mail all  
10 of these to them along with copies of the bills, and let them  
11 make a decision. A few days ago, I tried to get Southwestern  
12 Bell phone company, and what prompted me to do that, they've  
13 got \$20 a month flat. That looked real good.

14 When I got into details of who would handle  
15 that, they said Fidelity won't let them operate in their  
16 area, so they wouldn't -- they're not allowed to work here,  
17 so I'm just about to go cell phone, pretty close to it.

18 And another complaint, and I've got it in  
19 print, anything I say I've got proof on paper. The Fidelity  
20 phone bill is 7.55, that's fine. When I get two charges for  
21 Fidelity at the same time, I don't think that's right. They  
22 word it a little bit different, but I don't go along with  
23 that. This one here, it says Fidelity Telephone Company \$16,  
24 Fidelity Systems Plus \$15, I don't know what to make of that,  
25 that slipped through without my complaining very much.

00036

1                   This other one here, it says residential,  
2 residential phone line, 7.55 that's fine, and down at the  
3 very bottom, it's got Fidelity telephone charges, in this  
4 case, it's just \$.43, another place it's 1.45, this one is  
5 2.54, all on the same bill, of course, it's kind of double  
6 talk a little bit, but it's all going to Fidelity, and these  
7 charges here three, four, five, and more, I have them all  
8 right here for the same phone number within -- in one case  
9 within five minutes.

10                   That's -- and nobody gives me an explanation.  
11 They tell me, well, somebody said your fax is duplicating.  
12 My fax, when I make a -- use a fax, it gives me the day, the  
13 date, the time, the minute, and the number, one call, when I  
14 see this five times in five charges, yeah, I've been working,  
15 and so far, nobody's -- at Public Service, they've asked my a  
16 couple months ago keep track of your calls, and when -- and  
17 mail it to them, and they're going to go over the bill and  
18 the charges.

19                   I talked to one lady here in Gerald, and I  
20 don't know how we got to talking telephone, but I guess, I  
21 said, do you get multiple charges for phone calls you make,  
22 and she said yeah, but what you going to do about it. Well,  
23 I've got a lot of places to do about it, and I'm pleased to  
24 be here, and I -- you mentioned about phones being out of  
25 order, rarely, but it usually goes back on within, I'll say,

00037

1 a reasonable time. Now, I guess, the questions.  
2 JUDGE JONES: Are there questions from the  
3 company?  
4 MR. ENGLAND: No questions.  
5 JUDGE JONES: Are there questions of the  
6 Public?  
7 MR. DANDINO: No, other than to say thank you  
8 very much for testifying, Mr. Metzger.  
9 JUDGE JONES: Mr. Bates.  
10 MR. BATES: No, thank you.  
11 JUDGE JONES: Commissioner Clayton.  
12 COMMISSIONER CLAYTON: Can I look at your  
13 bill?  
14 MR. METZGER: Yeah, boy, I'm pleasing --  
15 COMMISSIONER CLAYTON: Don't give me the whole  
16 packet, I just want to see one bill. He's just going to --  
17 MR. METZGER: If you take one glance at.  
18 Yeah, I'd like you to thumb through these. At one glance,  
19 you can see what I'm talking about, one page at a time won't  
20 take you that long.  
21 COMMISSIONER CLAYTON: Okay.  
22 MR. METZGER: I'm not talking about one  
23 complaint one time, and when my daughter was running the  
24 advertising, I went back in the files, and she never made  
25 complaints of three charges for one call.

00038

1                   COMMISSIONER CLAYTON: So what you're talking  
2 about, for example, you've got a call here to Florida, and  
3 there's a call 9:34, 9:54, and 9:56, and 10:05, and 11:03,  
4 that's what you're talking about, having the same phone  
5 number four or five times right in a row?

6                   MR. METZGER: Yeah, and they don't know what  
7 happens. And there's hours between time, well, that's  
8 possible, and Fidelity tells me that they charge, start  
9 charging when the person answers the phone. That ain't even  
10 -- that ain't even on the first ring.

11                   COMMISSIONER CLAYTON: Now, I notice that this  
12 is AT&T?

13                   MR. METZGER: They were in that, and I'm glad  
14 you mentioned that, because when I'm with ATN now, and I've  
15 learned that Fidelity, they've got a cable, and they file the  
16 charges, the time, and everything to this Global Crossing  
17 Company, which is ACN, and when I go to Fidelity about it,  
18 they say, well, you pay the ACN people, let them handle it,  
19 so I go to the ACN people, and they tell me it's Fidelity's  
20 fault, they tell them what -- what to charge, and that don't  
21 make sense to me. Why should you give a competitor that's  
22 taken a customer away from you, why should you give him all  
23 the information he needs to send you a bill, don't make  
24 sense. That's been going on since.

25                   COMMISSIONER CLAYTON: And you have ACN as

00039

1 your long distance provider right now?  
2 MR. METZGER: Yeah, and I'm about to quit them  
3 because nobody gives me an explanation for these multiple  
4 calls, nobody gives me a reason for that?  
5 COMMISSIONER CLAYTON: Okay.  
6 MR. METZGER: Some of them are not, and when I  
7 see an hour's past, well, yeah, I could call them again,  
8 second time, but yeah, I need an explanation.  
9 COMMISSIONER CLAYTON: Talking about your  
10 local service, now, are you happy with your local service,  
11 does it work okay?  
12 MR. METZGER: Seems all right.  
13 COMMISSIONER CLAYTON: Okay.  
14 MR. METZGER: I'm pleased that we got Berger  
15 and New Haven and --  
16 COMMISSIONER CLAYTON: Now, you're not from  
17 Gerald, you're from Owensville, right?  
18 MR. METZGER: I'm from Owensville.  
19 COMMISSIONER CLAYTON: Now, I've got to ask  
20 you this, what's the name of the road that you live on?  
21 MR. METZGER: Hog Trough Road.  
22 COMMISSIONER CLAYTON: Hog Trough Road.  
23 MR. METZGER: Yeah, you smile a little bit.  
24 Yeah, so you're a little bit country, and when people ask me  
25 when they say how do you spell that, and is that one word,

00040

1 then you're not country. Yeah, our Hog Trough Road, the  
2 original, there was a bridge -- the original bridge was three  
3 boards to make a trough, two troughs and you drive over that,  
4 so it was called Hog Trough Bridges, and we, somebody in the  
5 neighborhood don't like that, because they give us our road  
6 as 530, they give us box numbers, and when 911 come in, they  
7 made it law, you've got to use the number of your road, and I  
8 always tell that story and it gets a laugh.

9 COMMISSIONER CLAYTON: Yeah.

10 MR. METZGER: And I can tell when they --  
11 yeah, you're a little country.

12 COMMISSIONER CLAYTON: Well, I don't know if  
13 my wife would accept a road called Hog Trough Road but it's  
14 fine with me.

15 MR. METZGER: Anyway, that's what we got and  
16 we're stuck with it, and I always make a joke out of it. Did  
17 you see on there where I'm getting two charges for Fidelity?  
18 It's not ever -- every month.

19 COMMISSIONER CLAYTON: Is that the \$.43 you're  
20 talking about?

21 MR. METZGER: I would have when I went over  
22 this, I went -- I would have mentioned the \$.43, but when  
23 there's a \$1.45 and up here 7.55, that's fine and dandy, and  
24 over here Fidelity charges \$10.99, and up here's a regular,  
25 yeah, it varies, and I don't understand it, the highlight,



00041

1 that's got to go to Fidelity.

2 COMMISSIONER CLAYTON: Now, these look like  
3 phone calls to -- you're talking about?

4 MR. METZGER: I didn't highlight, I'm just  
5 talking about two Fidelity charges, this goes to Fidelity,  
6 7.55, and that's fine, no complaints, and sometimes it's \$2  
7 and \$3 for a -- this here is outright, it spells it out, most  
8 time it doesn't put Fidelity in two places, and there it is,  
9 and no explanation next time, it might be only \$2 and  
10 something.

11 COMMISSIONER CLAYTON: I think those are your  
12 -- well, I'll tell you what, why don't we go off the record  
13 and -- have you all worked with him? We've got some consumer  
14 services people that we can go over that here today, and it's  
15 probably not appropriate for being on the record, and I don't  
16 think I have any other questions, but our staff will go over  
17 that with you here today.

18 MR. METZGER: I'm working pretty close with  
19 Public Service now.

20 COMMISSIONER CLAYTON: Okay. Well, here, let  
21 me give you this back.

22 MR. METZGER: Like I may or may not have  
23 mentioned, they told me to keep track of my phone calls. My  
24 fax does it for me, and send all of them to him, and they'll  
25 send them back when they're done, and I'm doing that.

00042

1 COMMISSIONER CLAYTON: Okay. Great, well, I  
2 don't have any further questions. Thank you.

3 JUDGE JONES: Mr. Metzger, is that all the  
4 testimony you have?

5 MR. METZGER: Yeah.

6 JUDGE JONES: Okay. Thank you. Is there  
7 anyone else here who would like to testify on the record?  
8 Well, seeing no one, then we will conclude this portion of  
9 the local public hearing. Thank you all.

10 WHEREUPON, the recorded portion of the public  
11 hearing was concluded.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25