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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

WQXX Radio, Meru Lawson
(Your Full Name)

COMPLAINANT

VS.

WINDSTREAM
(Name of Utility)

DEFENDANT

RECEIVED

SEP 16 2013

PUBLIC SERVICE
COMMISSION

COMPLAINT

The complaint of MERU LAWSON
(Your Full Name) respectfully shows:

(a) MERU LAWSON
(Your Full Name)

129 COLLEGE ST, WEST LIBERTY Ky 41472
(Your Address)

(b) WINDSTREAM
(Name of Utility)

POB 9001908, LOUISVILLE Ky 40290-1908
(Address of Utility) (ONLY ADDRESS I HAVE, PER BILL)
(ENCLOSURE)

(c) That: ON OR NEAR MARCH 1ST 2013 CALLED
(Describe here, attaching additional sheets if necessary,

WINDSTREAM TO DISCONNECT SERVICE. CUSTOMER
the specific act, fully and clearly, or facts that are the reason

REP ADVISED HE COULD NOT HANDLE REQUEST AND
and basis for the complaint.)

WOULD FORWARD TO ANOTHER REP THAT WOULD CALL BACK
BUT DID NOT. BILL GOT PAID THAT SHOULD NOT HAVE
LOOKING FOR REFUND.
Continued on Next Page

Formal Complaint

WQXX Radio vs. WINDSTREAM

Page 2 of 2

CONTACTED WINDSTREAM IN EARLY AUGUST, SEEKING
DISCONNECT AND REFUND, WAS TOLD I DID NOT HAVE
ANY DOCUMENTATION TO SUPPORT CLAIM. OFFERED TO HAVE
LOCAL PHONE COMPANY VERIFY THE INSTALL DATE OF A TL
I WAS USING SINCE UNTIL FEB 21ST. WAS TOLD THAT
WAS NOT GOOD ENOUGH. I MADE MISTAKE OF NOT WRITING
1ST CUSTOMER REP NAME down - date etc.
 Wherefore, complainant asks Refund of 667.50
 (Specifically state the relief desired.)

Dated at West Liberty, Kentucky, this 9th day
 (Your City)
 of September, 2013.
 (Month)

Mervin Lawson
 (Your Signature*)

 (Name and address of attorney, if any) 9-9-13
 Date

*Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

807 KAR 5:001. Rules of Procedure.

Section 19. Formal Complaints.

- (1) **Contents of complaint.** Each complaint shall be headed "Before the Public Service Commission," shall establish the names of the complainant and the name of the defendant, and shall state:
 - (a) The full name and post office address of the complainant;
 - (b) The full name and post office address of the defendant; and
 - (c) Fully, clearly, and with reasonable certainty, the act or thing done or omitted to be done, of which complaint is made, with a reference, if practicable, to the law, order, or administrative regulation section and subsection, of which a violation is claimed, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall specifically establish the relief desired.
- (2) **Signature.** The complaint shall be signed by the complainant or his or her attorney, if applicable, and if signed by an attorney, shall show the attorney's post office address. **A complaint by a corporation, association, or another organization with the right to file a complaint, shall be signed by the entity's attorney.**
- (3) **Number of copies required.** When the complainant files his or her original complaint, the complainant shall also file two (2) more copies than the number of persons or corporations to be served.
- (4) **Procedure on filing of complaint.**
 - (a) Upon the filing of a complaint, the commission shall immediately examine the same to ascertain if it establishes a prima facie case and conforms to this administrative regulation.
 1. If the commission is of the opinion that the complaint does not establish a prima facie case or does not conform to this administrative regulation, the commission shall notify the complainant or his or her attorney to that effect, and opportunity shall be given to amend the complaint within a specified time.
 2. If the complaint is not amended within the time or the extension as the commission, for good cause shown, shall grant, the complaint shall be dismissed.
 - (b) If the complaint, either as originally filed or as amended, establishes a prima facie case and conforms to this administrative regulation, the commission shall serve an order upon the person complained of, accompanied by a copy of the complaint, directed to the person complained of and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of the order, provided that the commission may, in particular cases, require the answer to be filed within a shorter or longer period.
- (5) **Satisfaction of the complaint.** If the defendant desires to satisfy the complaint, he or she shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which the defendant is willing to give. Upon the acceptance of this offer by the complainant and with the approval of the commission, further proceedings shall not be taken.
- (6) **Answer to complaint.** If the complainant is not satisfied with the relief offered, the person complained of shall file an answer to the complaint, with certificate of service on other endorsed parties, within the time specified in the order or the extension as the commission, for good cause shown, shall grant.
 - (a) The answer shall contain a specific denial of the material allegations of the complaint as controverted by the defendant and also a statement of new matter constituting a defense.
 - (b) If the answering party does not have information sufficient to enable him or her to answer an allegation of the complaint, the answering party may so state in the answer and place the denial upon that ground.



Account number Telephone number Invoice date
 August 05, 2013

The Windstream Professional Bundle

- A professional website built and updated monthly for your business
- Computer repair, Internet security, virus and data protection
- Business-class Internet and phone, plus calling features and toll-free number

All for one low monthly rate.

\$129.99
PER MONTH

Free professional installation and router available for new Internet customers

CALL:
855.439.2895

VISIT:
windstream.com/allneed

Please call Windstream Communications toll free or visit our website.
 For Sales/Billing/Account Changes: 1-800-843-9214
 For Repair/Technical Support: 1-866-990-3282
 Website: www.windstream.com

WQXX RADIO TOWER CIRCUIT
 PO BOX 338
 WEST LIBERTY KY 41472-0338

Service At-A-Glance

Previous Bill	\$667.50
Payments/Adjustments thru 08/01	\$674.77 CF
Amount Previously Due	\$7.27 CF
Current Charges Due - 08/26/13	\$330.12
Total Amount Due	\$322.85

Use of the Services constitutes your agreement to Windstream's Terms and Conditions maintained at www.windstream.com/terms, or you may request a copy by calling the number at the top of the bill. See "Windstream Customer Message" section on this bill for any recent changes to Windstream's Terms and Conditions. If you are a business customer with an existing contract, those contract terms will control.

Pay My Bill

On-line: For easy payments 24 hours a day, visit www.windstreamonline.com.
In person: To find a retail store location near you, visit www.windstream.com/support.
By Mail: Send your check and payment slip to the address below.
By Phone: For automated payments or to speak to a representative, call 1-800-537-7755.

Detach and return this payment slip with your check payable to WINDSTREAM KENTUCKY EAST, LLC.

windstream.
 ATTN: SUPPORT SERVICES
 1720 GALLERIA BLVD
 CHARLOTTE, NC 28270

Address Service Requested



Check here for address changes noted on reverse side.

Account number Telephone number Due date
 August 26, 2013
 Amount Due
\$322.85

Payment enclosed \$

222 161708269 9

9564031385 PRESORT 31385 1 MB 0.405 P1C150 <B4>



WQXX RADIO TOWER CIRCUIT
 PO BOX 338
 WEST LIBERTY KY 41472-0338

WINDSTREAM
 PO BOX 9001908
 LOUISVILLE, KY 40290-1908



107133-BRE

GENERAL INFORMATION

Payments that you have made but do not appear on this bill as a credit should be deducted from the "Total Amount Due" before you make the payment. The remittance slip should always accompany your payment. When paying in person, please bring your remittance slip. The "Amount Due" date on this bill refers to the current month's charges and does not extend any previous billing due dates or payment arrangements. An explanation of the various charges, rate schedules, and instructions on how to verify the accuracy of this bill can be obtained at a local Windstream retail location or by calling Windstream Customer Service toll-free at the number on the front page of this bill. All federal, state, and local taxes are computed in accordance with appropriate tax laws.

Billing or service questions or complaints should be referred to Windstream Customer Service. Discrepancies should be reported within 20 days of the date of the bill to allow necessary adjustments to be made before the next bill cycle. If a portion of your bill is incorrect or disputed, that amount only may be deducted from your payment. All other charges must be paid to avoid interruption of your service. Please call Windstream Customer Service toll-free to report the error.

If your amount due is less than \$2.01, you may not receive a billing statement.

A "Late Payment Charge" may apply to each customer bill when the previous month's bill has not been paid in full by the due date. The charge is applied to the total past due balance and is included in the amount due on the current bill. Service and equipment are billed one month in advance. In certain service areas, Windstream will not prorate charges or provide credit for any partial periods if you change, add or terminate your service on a date prior to the last day of your billing cycle. This only applies to Windstream services and may not apply to services provided by other parties. The minimum service period is 30 days. "CR" next to a charge, denotes a credit. If "CR" appears next to the "Total Amount Due", do not pay.

eCheck authorization: 41472 By entering this 5-digit code when paying by phone, I hereby authorize Windstream and the financial institution designated by me to charge the account I have specified for payment of my Windstream services. I understand that a fee will be charged to my Windstream account for each request returned unpaid. If two requests are returned unpaid, I will be excluded from this option. In addition, I understand that Windstream and the financial institution reserve the right to terminate this payment option. This authorization can be revoked by notifying Windstream at the customer service number listed on my bill prior to 4:00 P.M. CST on my specified payment date.

EXPLANATION OF CALL CODES

Long Distance Class of Call
 P = Person to Person
 S = Station to Station
Long Distance Rate Periods
 D = Day
 E = Evening
 N = Night
 DM = Day Multirate
 EM = Evening Multirate
 NM = Night Multirate
 IC = International Call Rate Period

TAXES, SURCHARGES AND FEES

9-1-1 Service: This fee recovers Windstream's costs associated with construction, maintenance and upgrades of 911 services and related facilities. This fee also recovers the costs of local government providing 911 services in states that have enacted a 911 surcharge, in which case the amount of the fee is set in accordance with state law.

Access Charge per FCC Order/CLEC Network Access: This charge, also known as the Federal Subscriber Line Charge (SLC), is an FCC-approved fee that enables local telephone companies to recover a portion of the costs of connecting customers' homes or businesses to the telephone network, so those customers may receive and/or initiate interstate calls.

Access Recovery Charge: The FCC permits local telephone companies to assess this charge to recover a portion of the costs incurred in the provision and maintenance of telephone service to connect customer's homes and businesses to the telephone network.

Federal Tax: A federal excise tax paid to the Federal Government, which is applied to all wireline customers.

State Tax: A state tax levied on all wireline customers. The tax usually applies only to local monthly service charges and usually takes the form of a sales tax. The application of this tax may vary by state.

County Tax: A county tax levied on all wireline customers. The tax usually applies only to local monthly service charges and usually takes the form of a sales tax. The application of this tax may vary by county.

City Tax: A city tax levied on all wireline customers. The tax usually applies only to local monthly service charges and can be a sales tax, a franchise fee tax, or both. The application of this tax may vary by city.

Intrastate Toll Tax/Equalization Surcharge: A usage-based tax levied by some individual states on long distance calls made in the state.

Gross Receipts Tax/Surcharge: This charge recovers for a tax that is imposed either on Windstream or on customers directly by various states for the provision of communications services. In the case of gross receipts surcharges, they are not government mandated charges.

Federal USF Fee: The Federal Universal Service Fund (USF) was established by the FCC to ensure that telecommunications services are affordable for customers with low incomes and customers living in rural areas where the cost of providing service is high. The fund also provides discounted telecommunications services to schools, libraries and rural healthcare providers. Through this fee, Windstream recovers the cost of its mandated contribution to the FUSF as permitted by the FCC.

State USF Fee: Some states have implemented a State Universal Service Fund (SUSF) similar to the federal USF. In those states, telecommunications companies must contribute a percentage of billed revenue to the SUSF. The states, in turn, allow telecommunications companies to recover their mandatory contribution to SUSF from their customers.

Telecom Relay Surcharge: The Americans with Disabilities Act requires all companies offering voice service to provide access to a Telecommunications Relay Service (TRS) and to contribute to a shared fund to support this service. This service enables an individual who is hearing or speech impaired to communicate with others through access to a Teletypewriter (TTY) and/or Telecommunications Device for the Deaf (TDD).

Interstate Service Fee: The Interstate Service Fee helps recover costs associated with providing interstate long distance including, for example, interstate and international connection charges. This fee is not a tax or charge required by the government.

Deregulated Administration Fee: The Deregulated Administration Fee recovers costs associated with the administration of providing many products and services, such as maintenance and entertainment offerings. This fee is not a tax or charge required by the government.

Franchise/Right-of-Way Fee: Governmental entities may charge Windstream to use the public rights-of-way to provide service to our customers. This fee collects Windstream's costs associated with those charges.

Keep this portion for your records.

Return this portion with your payment.

Change of Address Effective Date ___ / ___ / ___

Name															
Attention															
New Address											Apt/Suite#				
City						State			Zip						
Business Phone						Home Phone									

Windstream representatives are happy to answer your questions or concerns related to billing or service. To contact us, please call the number located at the top of page one. To view customer service hours by state and answers to FAQs, visit www.windstream.com/support.



Account number Telephone number Invoice date August 05, 2013

SUMMARY OF PAYMENTS AND ADJUSTMENTS

Table with 2 columns: Description and Amount. Rows include PAYMENTS -07/16/13 (667.50 CR), ADJUSTMENTS -07/03/13 (5.72 CR), ADJUSTMENTS -07/05/13 (1.55 CR), and TOTAL PAYMENTS AND ADJUSTMENTS (674.77 CR).

DEPOSIT, PAYMENT AND ADJUSTMENT DETAIL

Table with 2 columns: Description and Amount. Row: 07/03/13 ADJUST LATE PAYMENT BILLED IN ERROR (5.72 CR).

SUMMARY OF CURRENT CHARGES BY SERVICE PROVIDER

Table with 2 columns: Description and Amount. Rows include WINDSTREAM (6.54), WINDSTREAM INTERNET (323.58), and CURRENT CHARGES DUE 08/26/13 (330.12).

WINDSTREAM DETAIL OF CURRENT CHARGES

Service from 08/01/13 to 08/31/13
Toll charge inquiries call 1-800-843-9214

Table with 2 columns: Description and Amount. Rows include SURCHARGES AND OTHER FEES (TOTAL 5.99) and TAXES (TOTAL .55).

Table with 2 columns: Description and Amount. Rows include STATE TAX (.37), SCHOOL TAX (.18), and TOTAL TAXES (.55).

Table with 2 columns: Description and Amount. Row: TOTAL WINDSTREAM CHARGES (6.54).

WINDSTREAM INTERNET DETAIL OF CURRENT CHARGES

Table with 2 columns: Description and Amount. Rows include SERVICES (TOTAL 323.58) and TOTAL WINDSTREAM INTERNET CHARGES (323.58).

SERVICE PROVIDER(S)

Your Local carrier is*: WINDSTREAM KENTUCKY EAST, LLC 1-800-843-9214

* If you have multiple telephone numbers, further information concerning long distance carrier assignments for those additional lines are on record with your local business office.

REGULATORY PRESENTATION OF CURRENT CHARGES

The following summary presents your current charges by service type as defined by your state regulatory agency. Totals for each service type include applicable surcharges, fees and taxes.

Table with 2 columns: Description and Amount. Rows include NON-BASIC SERVICE (330.12) and TOTAL (330.12).

IMPORTANT INFORMATION

Non-payment of the TOTAL for BASIC charges shown above could result in disconnection of those services and may be subject to collection actions. Non-payment of all other charges for services listed above may result in the disconnection of these services and may be subject to collection actions, but will not result in the disconnection of basic local service. If not paid on time, a late pay penalty of 2.0% and a late payment collection fee of \$1.50 will apply to any past due balance.

WINDSTREAM CUSTOMER INFORMATION

50.DHXX.519788..SC
309 E FLEMINGSBURG RD MOREHEAD KY
TO 129 COLLEGE ST W LIBERTY KY

WINDSTREAM CUSTOMER MESSAGE

Important Information for Customers Paying by Check
Windstream may convert your payments by check to an electronic Automated Clearinghouse (ACH) debit transaction. The debit transaction will appear on your bank statement, although your check will not be presented to your financial institution or returned to you. This ACH debit transaction will not enroll you in any windstream automatic debit process and will only occur each time a check is received. Any resubmissions due to insufficient funds may also occur electronically. Please be aware that all checking transactions will remain secure, and payment by check constitutes acceptance of these terms. We value your business and appreciate you selecting windstream as your telecommunications provider.

windstream continues to work to provide the highest level of service and support to our Customers. Part of this service commitment includes providing Customers with the opportunity to have third party services charged to their windstream telephone bill as a convenience. While many Customers appreciate this convenience, we understand that it's not for everyone. Windstream always encourages customers to review their windstream bill each month and contact the company if they are unsure about a charge on their windstream bill. And, in order to provide our Customers with a greater level of control and an additional layer of account protection, windstream now offers the ability to block third party charges from your monthly telephone statement. This block will not apply to third party charges for windstream-related services to which you subscribe (i.e. Dish, TechHelp, etc.), but will prevent unrelated services from appearing on your windstream statement. This service is completely optional and free of charge. If you're interested in adding a third party block to your account, please call a windstream representative at the phone number found at the top right hand corner of your statement.

windstream Online payments must be made by 4:00 pm eastern time in order to post for the current day.

Effective with your next billing statement, the Deregulated Administration Fee will increase by \$1.50 per month for business accounts. This fee is assessed monthly per business customer account and allows windstream to continue offering many products and services to our customers at competitive prices. If you have questions regarding this change, please contact windstream at the number listed on this billing statement.

To help us serve you faster, please bring your entire billing statement with you when paying in person at one of our payment center locations.

PUBLIC
COMMISSION



RECEIVED

August 29, 2013

Consumer Services
Kentucky Public Service Commission
PO Box 615
Frankfort, KY 40602-0615

SEP 16 2013

PUBLIC SERVICE
COMMISSION

Re: Complaint # 2013-01965, WQXX Radio Tower

Dear Susan:

Thank you for the opportunity to respond to the complaint that was filed with you by Mr. Merv Lawson on behalf of WQXX Radio Tower.

Mr. Lawson states that he cancelled his data line back in February or early March and is still being billed for it each month. To make matters worse, his accounting department is still paying for it and it isn't even in use. When he first called Windstream, he was told that they would refund his money. Now he is being told that because they kept paying it there would be no refund.

Windstream has researched this issue and our records show no oral or written communication from Mr. Lawson or any other contact at WQXX Radio Tower that this needed to be cancelled. In fact, it wasn't until Mr. Lawson called our Corporate Office to speak with one of our Executive's in July, did the service get cancelled. This was the first that Windstream learned that the service was to be cancelled. The Executive Escalation Representative that Mr. Lawson spoke with saw that the services were cancelled and asked Mr. Lawson for supporting documentation showing that he called to cancel the services earlier in the year. Mr. Lawson could not produce any. After receiving this complaint, another call was placed to Mr. Lawson and again Mr. Lawson could not produce any documentation. The earlier representative offered to issue an additional month for June and Mr. Lawson declined. Per the phone call that was made to the complaint to the Commission, Mr. Lawson disconnected the call. Without any documentation from Mr. Lawson, Windstream cannot issue a credit back to February or March.

Please let us know if you need additional information from Windstream to consider the complaint resolved.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Neff", written over a horizontal line.

Tina Neff
Windstream

cc: WQXX Radio Tower