

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

CONNIE MARSHALL

COMPLAINANT

RECEIVED

VS.

MAY 08 2009

MICHAEL WILNER
BARBARA HUBER
INSIGHT COMMUNICATIONS

DEFENDANT

PUBLIC SERVICE
COMMISSION

RESPONSE TO DEFENDANT'S ANSWER

Comes the Plaintiff, Connie Marshall, and states the following in response to Defendant's answer.

1. **Insight Phone of Kentucky, LLC** is committing fraud and purposely misleading the public to believe that the public is purchasing service from **Insight Communications**, and Ms. Marshall states the following as proof.

a. **Insight Phone of Kentucky, LLC** markets and sells its service to the public by telephone, door to door, print, internet, television, etc. as "**Insight**" to purposely mislead the public into believing they are doing business with **Insight Communications**.

b. **Insight Phone of Kentucky, LLC**, "Purposely" does not put the entire name of their company on their service trucks and contracts to mislead the public into thinking that they are doing business with **Insight Communications**.

c. Ms. Marshall ordered telephone, internet and cable service from **Insight Communications** at telephone number (502) 357-4400, which is the same number used to order service from **Insight Communications** in previous years. At no time was Ms. Marshall told verbally that she was contracting business with **Insight Phone of Kentucky, LLC**.

d. Ms. Marshall ordered service from **Insight Communications** at telephone number (502) 357-4400, which is the same number used to order service from **Insight Communications** in previous years. At no time was Ms. Marshall given any paperwork stating that she was contracting business with **Insight Phone of Kentucky, LLC**.

e. If a survey was conducted asking the customer's of **Insight Phone of Kentucky, LLC** who their internet, cable and/or telephone service is provided by, they will state "**Insight Communications**," as the public is unaware, due to false advertising and fraud that they are doing business with **Insight Phone of Kentucky, LLC**.

f. **Insight Phone of Kentucky, LLC** is guilty for Failure to Disclose the name of their company and misleading the public.

g. As previously stated, Ms. Marshall had never heard of **Insight Phone of Kentucky, LLC** until she filed this complaint against **Insight Communications** and was told she was doing business with **Insight Phone of Kentucky, LLC**.

h. Ms. Marshall states that the fraud, harassment, torment, torture, misuse of service, abuse and violation of the service agreement was committed by **Insight Phone of Kentucky, LLC** and advises **Insight Phone of Kentucky, LLC** that making this fraudulent allegation against Ms. Marshall to this court is in fact, *Violation of the False Claims Act*, and further states that a federal claim may be filed against **Insight Phone of Kentucky, LLC**.

2) Ms. Marshall states that **Insight's** own repairman have stated that they heard the echoes, squealing, etc. on the telephone. Ms. Marshall previously submitted a

log with the original complaint regarding the numerous problems with her cable, internet and telephones through Insight to this court.

Ms. Marshall further states, “yes” illegal acts were committed by **Insight Phone of Kentucky, LLC** and the Federal Bureau of Investigations and Ms. Marshall has filed a Federal Lawsuit and filed with the OIG in Washington. Ms. Marshall states that these illegal acts are above and beyond the guidelines allowed by the Patriot Act and do not follow protocol.

Ms. Marshall further states that she has repeatedly allowed **Insight Phone of Kentucky, LLC** to correct the problems and this can be proven by the log that Ms. Marshall submitted with this case. In response to Insight stating that Ms. Marshall would not allow them to correct the problem, *please see the log submitted with this case*, and also *Note:*

Insight disconnected Ms. Marshall’s service twice (2 times) even though her bill was paid. Ms. Marshall did not ask Insight to disconnect her service.

Ms. Marshall further states that Insight service representative and trouble shooters have found numerous problems with her service *please see the log submitted with this case*.

Ms. Marshall further states that she has not abused Insight’s representatives; however she has been abused by Insight’s representatives.

3 – 4 – 5) “Yes,” FBI Agents and other official have been on Ms. Marshall’s telephone doing all and more of what is listed in numbers 3 – 4 -5. Ms. Marshall submitted a tape with this case and a narration page to prove her allegations.

Ms. Marshall further states that to bill a person for service that they did not have, as Insight Phone of Kentucky, LLC has done is fraud. Ms. Marshall further

states that it is Insight Phone of Kentucky, LLC that owes her money for charging for service that she did not have, as the service was rerouted, blocked, turned off, etc.

“Yes,” Ms. Marshall has been attacked numerous times on her telephone which I am sure will cause future health problems and already has caused some medical issues. This is being pursued through Washington and Federal Court. *Please see the log submitted with this case and listen to tapes with narration page submitted with this case.*

6) “Yes,” it is Racism as there are other’s experiencing problems and problems with **Insight Phone of Kentucky, LLC**, *see the log submitted with this case.*

7) For the second time **Insight** turned off Ms. Marshall’s service even though her bill was paid. *See dates listed below taken from the log submitted with this case.*

December 18, 2006 (around 5:30 p.m.)

Arrived home to find that all of my Insight services were disconnected. My bill was paid, I received no warning. I called Insight, December 19, 2006 to find out why my services were disconnected, because my bill was paid. They would not talk with me and told me to contact Kentucky Public Services. I contacted Kentucky Public Service Commission and a very derogatory letter was sent to Kentucky Public Services from Insight Communications, stating that they would no longer provide me with service. I am in the process of responding to the letter, and will file a Defamation libel lawsuit against Insight.

February 3, 2009 (beginning of February, not sure of date)

Without a notice or warning, Insight Communications turned off my services; however my bill was paid and was not due to be paid. I received an unsigned letter from Insight dated January 30, 2009, but not mailed until February 2, 2009. The letter was similar to a letter previously sent by them on December 18, 2006, as I was a previous customer of Insight. The previous letter was signed by Barbara Huber and stated that I was harassing Insight and the current letter stated the same and looked the same but was unsigned.

8) Ms. Marshall states that the **Insight Phone of Kentucky, LLC’s** equipment was turned in before the Defendants filed their Answer. Ms. Marshall further states that **Insight** owes her for not providing the service she contracted with their company and failure to disclose that they were not Insight Communications.

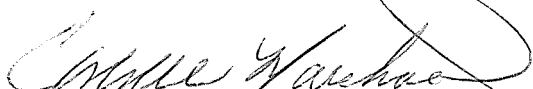
9) Ms. Marshall states that the lawsuit that she filed against Insight Communications was dismissed “only” because Ms. Marshall was not allowed to go forward “forma pauperis.”

Ms. Marshall further states that the Complaint with the FCC is in the process of being refiled as her first Complaint was intercepted by corrupt officials. Ms. Marshall further states also at that time she could not afford to go forward with a formal complaint. Ms. Marshall further states that cases can also be refilled when submitting new evidence.

In closing, Ms. Marshall states that she ordered regulated services and that Insight Phone of Kentucky, LLC fraudulently represented themselves. Ms. Marshall further states that it is Insight that owes her restitution, as they did not provide the service that she ordered and billed and accepted monies for services that **they had no intention of providing.**

Wherefore, Ms. Marshall moves this court to grant her restitution in the amount of \$2,000,000.00 (two million dollars) in damages, together with her cost herein expended and interest upon such judgment at the legal rate; and any and all other proper relief to which Ms. Marshall would appear to be entitled, as this is the second time Insight has committed these crimes against Ms. Marshall.

Respectfully Submitted on May 7, 2009


Connie Marshall
1814 South 23rd Street / Louisville, Kentucky 40210
(502) 322-3449 Cell

CERTIFICATE OF SERVICE

I hereby certify that 5 copies were mailed to this court by Express Mail on May 7, 2009 and a copy was also mailed to Janice M. Theriot, Zielke Law Firm, PLLC, 1250 Meidinger Tower, Louisville, Kentucky 40202 .

ORDER

This matter having come before the court and the court being sufficiently advised.

It is hereby ordered that the Response to the Defendant's Answer by entered on

_____ day of _____ 2009.

Judge