

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**
500 East Capitol Building, Pierre SD 57501

RECEIVED

JUN 04 2009

COMPLAINT

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Complainant(s) (Person(s) filing the complaint)		Respondent(s) (Person(s) or Company complained against) At a minimum, the name of the company	
Name	BRIAN HANKEL	Utility Company	SPRINT → ZONE TELECOM → EXPRESS COMMUNICATIONS
Address	[REDACTED]	Contact Person	RICH SCOTT
City, State, Zip	[REDACTED]	Address	2000 W 10TH ST
Work Phone	[REDACTED]	City, State, Zip	SIOUX FALLS, SD 57104
	[REDACTED]	Phone	605-334-7185
	[REDACTED]	Fax	605-334-4782

If the Complainant is represented by an attorney, please list the attorney's name, address, telephone number and fax number below: (If Complainant is not represented by an attorney, please leave blank:

These are the facts giving rise to my complaint:

12-10-08 SPRINT RECEIVED A CHANGE ORDER FROM ZONE TELECOM AND CREATED A FILE FOR MY PHONE #

12-10-08 GOLDEN WEST, MY PROVIDER, RECEIVED NOTICE FROM SPRINT REGARDING THE CHANGE. GOLDEN WEST CHECKED MY FILE AND NOTED IT DIDN'T HAVE A FREEZE ON IT AND SIGNED OFF ON THE CHANGE.

12-11-08 SPRINT RECEIVED A BATCH LIST FROM ZONE TELECOM REGARDING ALL PHONE #'S FOR SPRINT TO CHANGE. MY PHONE # WAS INCLUDED.

12-15-08 SPRINT, ACCEPTED THE LIST

12-31-08 PAPERWORK BETWEEN THE COMPANIES BEGINS TO FACILITATE THE CHANGE BACK TO GOLDEN WEST.

SOMETIME PRIOR TO 12-10-08 A MISTAKE WAS MADE AT EXPRESS COMMUNICATIONS. EXPRESS COMMUNICATIONS SENT INSTRUCTIONS TO ZONE TELECOM TO SHOW IT SOLD A SPRINT PRODUCT TO ME. ZONE TELECOM THEN COMMUNICATED WITH SPRINT AND THE ABOVE FIRMING WAS FOLLOWED.

Please complete the reverse side of this document

NOTE: Please attach additional pages, if necessary, to explain your situation. Also enclose copies of any bills or other documents which may pertain to your complaint.

RESOLUTION REQUEST

I ask that the Public Utilities Commission grant the following remedy. (What do you think the Commission should do to solve your complaint? Be specific in your request for a resolution.)

PER SD STATUTE SDCL 49-31-93 - THE TELECOMMUNICATION
COMPANY THAT INITIATES THE UNAUTHORIZED CHARGE OR THE
BILLING OF UNAUTHORIZED PRODUCTS OR SERVICES SHALL PAY
TO THE SUBSCRIBER ONE THOUSAND DOLLARS.

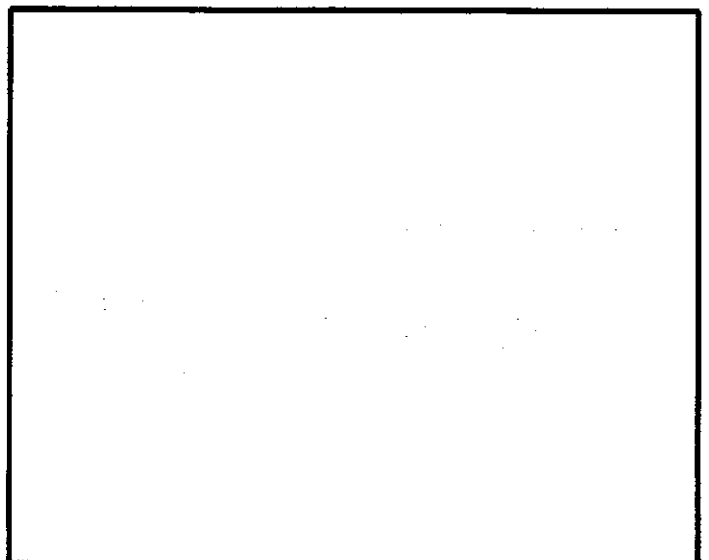
NOTE: Please attach any additional pages, if necessary

AFFIRMATION STATEMENT

I hereby affirm that these statements are true and accurate to the best of my knowledge.

Brian G. White
Complainant's Signature(s)

5/28/09
Date



• First document
Received by
Spunt J

Date

0001	08121005618812UTC	0333	SPRLOA121008.txt	
				3330333
01013336055264052	6055264052	081210B	YV1/ZONE TELECOM 3 EXECUTIVE CAMPUS YCHERRY HILL	
NJ		080024103		A
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SD		570065128		B
44062153770812100452				
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01013336056974384	6056974312	081210B	YDAKTRONICS P O BOX 5128 YBROOKINGS	
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		0000013				
						3330333

Sent to Sprint
from Zone

Date 12/11/08

• Confirmation of
all phone numbers
to change

Batch.txt

DBGHDRAA0812110994411090AAAAAAAAAAAAAAAAAAAAAAAAAAAA
AAAAAAAAAAAAAAAAAAAAAAAA454AAAAAAAAA
DBG460490946100060525936956052593695 WC0812110994411090ZONE TELECOM
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DBG460490946100060536928906053692890 WC0812110994411090ZONE TELECOM
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Record from the wholesaler: Zone telecom

**ZONE TELECOM, INC.****To: Ms. Kara Semmler, Staff Attorney****South Dakota Public Utilities Commission****Fax: 1-866-757-8031****Date: 03-19-2009****Number of pages including cover sheet: 1**

**Jill Papenhausen
Director
Consumer & Regulatory
ZONE Telecom, Inc.
Corporate Headquarters
3 Executive Campus, Ste. 520
Cherry Hill, NJ
Phone: 813-843-9857
Fax: 561-495-4287**

Privileged & Confidential information intended only for the use of the addressee(s) named. If the reader of this facsimile is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via U.S. Mail or facsimile.

Re: Brian Hankel, [REDACTED]

Dear Ms. Semmler:

Zone Telecom, Inc ("Zone"). is in receipt of your correspondence dated, March 18, 2009, detailing the unauthorized conversion of Mr. Brian Hankel's long distance service for telephone number, 605-526-4386, to Zone long distance service and we offer the following response.

Zone, a certificated long distance provider in the state of South Dakota, certification issued in Docket No. TC00-129 dated 10/24/2000, has researched its records and does not have Mr. Hankel, [REDACTED] as a customer. Further research indicates that Express Communications of Sioux Falls, South Dakota, is/was the long distance provider in this instance. They may be reached at, 605-334-7185.

Should you require additional information please don't hesitate to contact me directly.

Sincerely,

Jill Papenhausen
jpapenhausen@zonetelecom.com
Cell: 813-843-9857

**ZONE TELECOM, INC.**

**To: Ms. Kara Semmler
SD PUC**

Fax: 1-866-757-6031

Date: 3/20/09

Number of pages including cover sheet: 1

**Jill Papenhausen
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Re: Mr. Brian Hankel, [REDACTED] second response

Dear Ms. Semmler:

As a follow-up to our conversation of late yesterday I again confirmed that Zone records show Express Communications ("Express") as the long distance provider that sent a batch order of ANI's to Zone's wholesale division, which included ANI, [REDACTED] for provisioning on to the Sprint long distance network. The order was received in late December, 2008.

The South Dakota Public Utilities Commission website listing of all Long Distance Providers, url, <http://puc.sd.gov/commission/telecom/ixc.pdf>, shows that Express Communications is a registered long distance provider in the state of South Dakota. The contact information for Express as listed on your site:

Express Communications, Inc.
Rich Scott, General Manager, CEO
2000 W. 10th Street
Sioux Falls, SD 57104-2543
605-334-7432; 605-334-4782 fax
1/1/91

If I can be of further assistance please let me know.

Sincerely,

Jill Papenhausen



To: Ms. Kara Sommer **W**
SD PUC

Fax: 1-888-767-0031

Date: 3/20/09

Number of pages including cover sheet: 1

Jill Papenhausen
Director
Consumer & Regulatory
ZONE Telecom, Inc.
Corporate Headquarters
3 Executive Campus, Ste. 520
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Re: Batch including ANI 605-526-4386 received from Express Communications

Hankel, Brian

QW0865 Add 123108b

Date to change
Back to
your correct
provider.

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