

ORIGINAL



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ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Brad Morton

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Inquiry No.: 2011 - 93261

Date: 2/15/2011

Complaint Description: 08D Rate Case Items - Hearing/PC Meeting
N/A Not Applicable

Complaint By: First: Charles Last: Eastwood

Account Name: Locksmith Charley

Home: (000) 000-0000

Street: 2308 E. [REDACTED]

Work: Arizona Corporation Commission

City: Phoenix

CBR:

DOCKETED

State: AZ Zip: 00000

is:

FEB 17 2011

Utility Company: Miscellaneous Telephone

DOCKETED BY [Signature]

Division:

Contact Name: Unknown

Contact Phone: (000) 000-0000

Nature of Complaint:

Customer questioned how to find out about a hearing that was to be today and has now been rescheduled. I checked and didn't find it had been rescheduled but scheduled for March 23, 2011. He didn't know the name of the company except for Telesphere. I looked it up and finally found it with his opinion filed against the CC&N case. Verified the hearing date and recommended he attend the hearing and make his comments. I advised that his opinion with the 96 names and numbers are part of the case and will be reviewed prior to a decision being made. He went on to talk over 45 minutes about illegal locksmith companies. He began getting more upset and more vulgar until I finally said 'enough'. He just wanted to run on in his normal pattern.

Bottom line he emailed Brad early today requesting that all the documents in the CC&N case T-20675A-09-0214

be emailed to 1@yegg.info for his review. He is unable to open and review these documents because OUR computer system is broke!!!!

I advised we would be happy to email him all documents that can be emailed (no hearing transcripts) he most wants to see the staff report, but we will email it all. (notes by CEW)

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

2/15/11

Emailed consumer all documents, omitting court transcripts to 1@yegg.info.

From: Locksmith Charley [mailto:[REDACTED]]
Sent: Thursday, February 17, 2011 12:39 AM
To: Maureen Scott; Bradley Morton

RECEIVED
2011 FEB 17 10 3: 56
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

ARIZONA CORPORATION COMMISSION
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Cc: TAX@LocksmithCharley.com; Michael Targett
Subject: Telesphere - Docket No. T-20675A-09-02 14
Importance: High

Dear Ms. Scott and Mr. Morton:

It was my intention to attend the 2/14/2011 hearing for Telesphere's application to provide telephone service in Arizona.

I have searched the Corporation Commission's website under "utilities" and "telephone" providers and do not seem to find Telesphere being authorized to conduct any telephone services in Arizona at this time. What I was looking for was any tariffs they may have filed relative to the issuance of telephone numbers to customers and verification of address listing information relative to telephone services provided.

As I am understanding it Telesphere is now applying for authorization to provide telephone service in Arizona. According to a document that I read near midnight on 12/16 for the first time, Telesphere has stated for the record:

"Mr. Eastwood states that Telesphere provides communications services, including telephone numbers and directory listings, to certain of its customers that are named in his lawsuit. Telesphere acknowledges and has confirmed this fact."
(emphasis added)

How is it that Telesphere is providing telephone numbers and directory listings to customers in Arizona without previously having been licensed to do so?

From Telesphere's website is their "AUP" which states in pertinent part:
"Fraudulent/Misleading Content

Users shall not use Telesphere Products and Services to distribute, transmit, or store material containing fraudulent offers for products or services, or any advertising or promotional materials that contain deceptive, false, or misleading statements, representations, or claims. Users are prohibited from submitting any false or inaccurate data on any order form, contract, or online application, including the fraudulent use of credit cards." (Emphasis added)

More importantly, A.R.S. 44-1221 provides:

44-1221. Deceptive use of name; classification; attorney general

A. It is unlawful for a person to deceive another person by misrepresenting the geographical origin or location of the person's business in the conduct of the person's business.

B. A person who intentionally or knowingly violates subsection A of this section is guilty of a class 2 misdemeanor.

C. An act or practice in violation of this section is an unlawful practice under section 44-1522 and subject to enforcement through private action and prosecution by the attorney general. The attorney general may investigate and take appropriate action as prescribed by chapter 10, article 7 of this title.

In my earlier letter to the commission, I provided a list of phony addresses connected with these Telesphere issued telephone numbers and can get no response from Telesphere as to whether or not they have taken any action to disconnect these numbers based on violation of the AUP not to mention the phony addresses being a criminal offense and an unlawful practice.

Further, in the documents I have recently received from Mr. Morton, it seems that the commission has failed to make a similar inquiry about the specific numbers in question and/or Telesphere's policy generally of contracting to facilitate and provide a medium for individuals or companies acting in a criminal and civilly unlawful manner to continue to permit this type of activity in the future.

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I am contemplating filing a motion to intervene in this matter and may very well, having received no notices regarding this very serious matter ask the Administrative Law Judge to either extend the time to file a motion to intervene or to grant an extended continuance of Telesphere's application until this matter can be investigated further.

To that end, I respectfully request the Telephone number and FAX number to Administrative Law Kinsey so that I may transmit my motion or application for extension of time to her.

I would further ask that I be immediately informed as to the precise procedural steps that I need to follow including location of the filing of any documents and quantity of copies required.

I would also like to clarify that if I should choose to file a motion to Intervene whether I may do so as a Pro.Per. litigant or if I would be required to acquire counsel.

Thanks and have a GREAT DAY!

--
Charles "Locksmith Charley" Eastwood, CRL
Member of Associated Locksmiths of America

(in his best radio voice) "And you can find me on the web at LocksmithCharley.com!"

Locksmith Charley
 

PS: placing x1054k in the subject line triggers a "positive - NOT SPAM" filter and ensures that the message gets to my inbox and is highlighted in R

End of Comments

Date Completed: 2/15/2011

Inquiry No. 2011 - 93261
