

ORIGINAL

George Bien-Willner
Glendale & 27th Investments LLC
3641 N. 39th Avenue
Phoenix, AZ 85019



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August 16, 2012

Via Hand Delivery, Fax and Docket Filing Arizona Corporation Commission
DOCKETED

Mr. Norman G. Curtright
Associate General Counsel
Qwest/CenturyLink
20 E. Thomas Road, 16th Floor
Phoenix, AZ 85012
Fax: 602.235.3107

AUG 17 2012

DOCKETED BY

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Re: Docket No. T-01051B-10-0200; Discovery

Dear Mr. Curtright:

As you are aware, the Commission denied Qwest's motion to dismiss the Complaint, and particularly the range of allegations related to Qwest's business and billing practices regarding the subject property at 124 S. 24th St. See July 27, 2012 Order at 5-7.

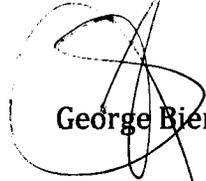
Enclosed with this letter are our most recent discovery requests. Many of the requests were stated in May 2012, but Qwest elected to ignore those requests pending the Commission's decision on Qwest's motion to dismiss. Even though Qwest's motion was largely denied, Qwest still has not answered the discovery. Qwest should therefore be positioned to respond to the enclosed discovery promptly.

Also, as you know, Qwest had previously withheld substantial information from us - including redacting large parts of relevant documents it produced - because it claimed the materials were not relevant in that although the information related to the services Qwest had provided to us, they did specifically concern "account number 602-275-4990" or "800 [number] service" allegations. See, e.g., Nov. 7, 2011 Correspondence from N. Curtright to G. Bien-Willner. The Complaint makes no such limitations or distinctions, and neither does the July 27, 2012 Order substantially denying Qwest's motion to dismiss. Although it is our belief that Qwest should have understood it was obligated to supplement its discovery in light of the July 27, 2012 Order with all materials withheld on the basis of its overly narrow "relevance" objections, we hereby formally request that Qwest supplement all discovery responses to date to include responses and materials withheld on the basis of Qwest's narrow view of relevance.

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Glendale & 27th Investments LLC
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Phoenix, AZ 85019

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Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'G' or 'B' with a long vertical stroke extending downwards.

George Bien-Willner

Enclosure (Discovery)

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE-Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

GEORGE BIEN-WILLNER, for
GLENDALE & 27TH
INVESTMENTS,
LLC

DOCKET NO. T-01051B-10-0200

COMPLAINANT,

DISCOVERY

V.

QWEST CORPORATION,
RESPONDENT.

TO: QWEST CORPORATION (now known as CENTURY LINK)

Under authority of Rules and Regulations of the Commission, you are hereby requested within seven (7) days of your receipt of this document to answer the following interrogatories in writing under oath, answer the following requests for admission and produce the following documentation.

DISCOVERY REQUESTS FOR ADMISSION/INTERROGATORIES

1. Admit that Qwest and its employees have no contemporaneous written records authored by Qwest of the initial service order by Complainant for 124 S. 24th St., Phoenix, AZ (the "Hotel"). If your response is anything other than an unqualified admission, provide all facts and specifically identify and produce all documents supporting your contention.
2. Admit that Complainant never specifically requested or ordered any "toll

1 trunks” either (a) by name or (b) by feature set. If your response is anything
2 other than an unqualified admission, provide all facts and specifically identify
3 and produce all documents supporting your contention.

4 3. Admit that none of services ordered by Complainant required “toll trunks.”
5 If your response is anything other than an unqualified admission, provide all
6 facts and documents supporting your contention.

7 4. Admit that Qwest has no records or other information showing that
8 Complainant made use of any “toll trunk” service(s). If your response is
9 anything other than an unqualified admission, provide all facts and specifically
10 identify and produce all documents supporting your contention.

11 5. Admit that, to Qwest’s knowledge, Complaint and the Hotel never used any
12 “toll trunk” services.

13 6. Admit that Qwest never explained to Complainant in writing or orally what
14 “toll trunks” were from 2004-2009. If your response is anything other than an
15 unqualified admission, provide all facts and specifically identify and produce
16 all documents supporting your contention.

17 7. Admit that Complainant’s February 19, 2004 letter to Qwest specifically
18 stated that “the contracts inherited will be temporary until such time as Tom
19 Carlson (the existing Qwest person handling these accounts) makes permanent
20 arrangements with George Bien-Willner.”

21 8. Admit that Qwest never made the “permanent arrangements” with George
22 Bien-Willner referred to in the February 19, 2004 memo. If your response is
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1 anything other than an unqualified admission, please explain all facts
2 supporting your contention(s) and provide any written documentation
3 supporting your contention(s).

4 9. Admit that the February 19, 2004 memo from Complainant's office never
5 (a) requested "toll trunk" services, (b) made reference to long distance nor (c)
6 requested the ability for Hotel guests to make outside calls.

7 10. Admit that Qwest issued refunds of over \$1000 in 2004 because of
8 erroneous billing charged by Qwest to Complainant regarding the Hotel. If
9 your response is anything other than an unqualified admission, provide all facts
10 and specifically identify and produce all documents supporting your
11 contention.
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13 11. Admit that Qwest and Complainant were in communication to clarify the
14 services provided by Qwest for the Hotel and the billing associated with those
15 services throughout 2004.

16 12. Admit that in August 2004, George Bien-Willner wrote to Qwest to inform
17 Qwest that Complainant was "very dissatisfied with the service and billing that
18 your company has been providing to us over the period of the last six months.
19 We have continuous problems with our phones and have discovered erroneous
20 charges on our bills."

21 13. Admit that Qwest was aware that Complainant was dissatisfied with
22 Qwest's billing throughout 2004 and raised various questions about Qwest's
23 billing throughout 2004 and beyond.
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- 14. Admit that Complainant continued to question Qwest’s billing during the time period of 2005-2009.
- 15. Admit that it is not possible for a Qwest customer to complain specifically about services that he/she for which he/she does not believe he/she has ordered and for which he/she does not understand he/she is being billed. If your response is anything other than an unqualified admission, provide all facts and specifically identify and produce all documents supporting your contention.
- 16. Admit that, throughout 2004 through 2009, Qwest had a duty to provide clear billing for all of its customers. If your response is anything other than an unqualified admission, provide all facts and specifically identify and produce all documents supporting your contention.
- 17. Admit that, throughout 2004 through 2009, Qwest had affirmative duties to fully explain its billing and the services for which it is charging when a customer questions Qwest’s bills. If your response is anything other than an unqualified admission, provide all facts and specifically identify and produce all documents supporting your contention.
- 18. Admit that Qwest considered the Hotel a “small business” for purposes of service orders. If your response is anything other than an unqualified admission, provide all facts and documents supporting your contention(s).
- 19. Admit that Qwest considered the Hotel a “small business” for purposes of billing. If your response is anything other than an unqualified admission, provide all facts and documents supporting your contention.

- 1 20. Admit that Julie Layne is the person Qwest has identified as having the
2 most knowledge regarding the issues raised by Complainant's complaint.
- 3 21. Admit that Julie Layne was unable to understand the services that
4 Complainant had been billed for and in June 2010 had to ask a Qwest specialist
5 for help in order to understand the services for which Qwest had been billing
6 Complainant.
- 7 22. Identify Julie Layne's position at Qwest from 2004-2009, by title and
8 responsibility, including whether Ms. Layne had any responsibility for the
9 Hotel's services or billing, and if so, what those duties or responsibilities were.
- 10 23. Admit that Qwest has passed and will pass the costs associated with
11 responding to this Complaint on to its consumers. If your response is anything
12 other than an unqualified admission, provide all facts and documents
13 supporting your contention(s).
- 14 24. Explain how the amount of \$810.89 issued to Complainant by Qwest was
15 calculated, and identify (by name, contact information and title) all persons
16 who participated in (a) deciding to issue a payment to Complainant (b)
17 deciding upon the amount of payment.
- 18 25. Explain why Qwest has claimed it is unable to locate and identify account
19 numbers by address.
- 20 26. Identify and provide any and all documents supporting Qwest's contention
21 that (as per Qwest's April 12, 2012 Answer) "Complainant ordered the
22 services for which it now seeks a refund...."
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- 1 27. Identify and produce copies of all legal, regulatory and internal rules
2 and/or regulations governing Qwest's procedures for establishing service for
3 the Hotel during 2004.
- 4 28. Identify the types of "relevant records regarding customer service orders"
5 (as described in paragraph 8 of Qwest's Answer, dated April 12, 2012) that
6 Qwest claims it maintained from 2004-2009 for small businesses, including
7 whether those "relevant records regarding customer service orders" were
8 written and how they were recorded.
- 9 29. Identify, by name, type and custodian, (and produce, see request below) the
10 "relevant records regarding customer service orders" that Qwest claims
11 (pursuant to paragraph 8 of its Answer, dated April 12, 2012) it maintained
12 regarding the Hotel from the time period of 2004-2009.
- 13 30. Identify the types and categories of records regarding service orders that
14 Qwest was required to keep for small business orders during 2004, including
15 how those records were to be recorded and maintained.
- 16 31. Identify (by name, title, dates they were involved, and present address and
17 phone number), all present or former Qwest employees who have or had direct
18 knowledge of or involvement in inquiries or complaints regarding services or
19 billing regarding the Hotel during the time period of 2004 to 2009.
- 20 32. Identify all measures taken by Qwest to investigate and address the billing
21 issues raised by Complainant from 2004-2009, including the August 26, 2004
22 letter in which George Bien-Willner wrote to Qwest to inform Qwest that
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1 Complainant was “very dissatisfied with the service and billing that your
2 company has been providing to us over the period of the last six months. We
3 have continuous problems with our phones and have discovered erroneous
4 charges on our bills.”

5 33. Identify each credit (including, for example, refunds) provided to
6 Complainant regarding the Hotel from 2004-2010, and provide the identities of
7 all persons involved in the credit calculation, approval and issuance of such
8 credit, and the rationale and reasons (including any errors or other incorrect
9 actions by Qwest supporting the credit) supporting each credit, including how
10 the credit amounts were calculated.

11
12 34. Explain the steps taken by Qwest’s senior management to investigate and
13 address the matters raised in the Complaint after Complainant raised these
14 issues with them in January 27, 2010 correspondence to Mr. Mueller, Qwest’s
15 Chairman.

16 35. Explain what “toll trunk” service is, how it is governed by rules and
17 regulations, how it is used, and the types of accounts to which it can apply.

18 36. Specifically identify and produce any and all documents supporting
19 Qwest’s position in its Answer that “Complainant ordered the services for
20 which it now seeks a refund.”

21 **DISCOVERY REQUESTS FOR PRODUCTION**

22 1. Produce copies of all external rules, guidelines and regulations governing
23 service orders and service changes for the Hotel during 2004.
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