

ORIGINAL

BEFORE THE ARIZONA CORPORATION



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Arizona Corporation Commission

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AUG 31 2012

DOCKETED BY *JM*

GEORGE BIEN-WILLNER, for  
GLENDALE & 27<sup>TH</sup>  
INVESTMENTS,  
LLC

DOCKET NO. T-01051B-10-0200

COMPLAINANT,

ADDITIONAL TESTIMONY OF  
GEORGE BIEN-WILLNER

V.

QWEST CORPORATION,

RESPONDENT.

Pursuant to Administrative Law Judge Kinsey's order dated July 27, 2012, which requires Complainant to file written testimony and exhibits on or before August 31, 2012, I, George Bien-Willner, submit the following testimony. This testimony is supplementary to the Testimony and related documents previously filed with the Commission on November 14, 2011 (which was patterned after testimony filed in Arizona Corporation Commission Docket Number W-02168A-10-0247, which Judge Kinsey highlighted during a hearing in this matter on July 11, 2011, as an example of written testimony).

Particularly in light of the fact that discovery is ongoing through October 1, 2012, I reserve the right to amend and/or amplify my testimony as additional and/or new information becomes available to me.

**Q: Have your views on this matter changed?**

A: No, in fact, now that the Commission has denied Qwest's motion to dismiss and Qwest has therefore been forced to reveal additional information regarding this dispute, additional information has come to light that further supports our claims.

**Q: What additional information supports your claims?**

A: In response to our May 2012 and August 2012 discovery requests, Qwest has produced additional documents, including relevant documents that it had previously withheld on purported "relevancy" grounds. Since the overwhelming majority of those documents were only received from Qwest's counsel on 8/29/2012 (a handful of others arrived by fax on 8/27/12), they have only been reviewed preliminarily at this time. However, it is clear that many of the documents strongly support our claims. In addition, on 8/29/2012 Qwest delivered responses to our written discovery. Again, those responses support our claims, although it should be noted that several of the written responses which were clearly written (and, it should be noted, anonymously written) to support Qwest's defenses are contradicted by Qwest's very own documents. Again, we have only had the opportunity to conduct a preliminary review of these discovery responses at this time, and we anticipate addressing the contradictions in Qwest's responses with Qwest's counsel and, if necessary, the Commission. We anticipate filing a further response and documents with the Commission as we complete our analysis of Qwest's most recent discovery responses and other discovery which

we intend to pursue before the discovery cut-off on October 1, 2012.

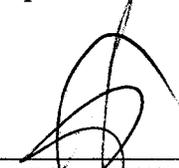
**Q: Do you believe that Qwest has abused the system in denying responsibility for issuing a full refund for the amounts collected from you for services never ordered?**

A: Yes.

**Q: How much money has this situation cost you at this time?**

A: I estimate my out-of-pocket damage at this time to be \$35,000, which includes the substantial time my staff and I have been forced to expend to try to obtain relief, including fighting Qwest's dubious practices regarding withholding clearly relevant information concerning this consumer complaint (some of which it only recently provided to me after its motion to dismiss was largely rejected). Qwest has acknowledged the damage I have suffered by crediting me \$810.89 for the period of July 2010 through December 2010, when the services were finally cancelled. By Qwest's own standard (which I believe understates the amount, and certainly does not include amounts for my time and expenses in trying to recover these amounts), I would be owed at least \$9,700, plus interest.

DATED this 31st day of August, 2012.



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George Bien-Willner  
Glendale & 27<sup>th</sup> Investments LLC  
3641 North 39<sup>th</sup> Avenue  
Phoenix, Arizona 85019

13 copies of this document and related exhibits are being filed with the Commission, and a copy of this document is also being mailed to Norman Curtright of Qwest/CenturyLink via U.S. mail.