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Re: Case 13-C-0197

Temporary Use of Verizon's Voice Link Service on Fire Island – August 24, 2013

**** Please note this is a Preliminary transcript, subject to later edits when reviewed by the
Administrative Law Judges assigned to the cases.**

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case 13-C-0197 - Tariff filing by Verizon New York Inc. to introduce language under which Verizon could discontinue its current wire line service offerings in a specified area and instead offer a wireless service as its sole service offering in the area.

SATURDAY, AUGUST 24, 2013
1:00 p.m.

Ocean Beach Community House
157-164 Bay Walk
Ocean Beach, New York 11770

COMMISSIONERS:

PATRICIA ACAMPORA

ADMINISTRATIVE LAW JUDGES:

MICHELLE L. PHILLIPS

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E X H I B I T S

<u>PETITIONER:</u>			
<u>IDENTIFICATION</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EV.</u>

<u>RESPONDENT:</u>			
<u>IDENTIFICATION</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EV.</u>

1 ALJ MICHELLE PHILLIPS: Perfect. So I have
2 exactly 1:00. So I'm going to take this out. I just
3 need to do the formal piece and then we'll get right
4 moving. We're going on the record. Good.

5 These hearings are being held to take public
6 comments in case 13-Z-0197 tariff filing by Verizon
7 New York to introduce language under which they could
8 discontinue current wire line service offering in
9 specified areas and instead offer a wireless service.

10 My name is Michelle Phillips I'm an
11 Administrative Law Judge at the New York State
12 Department of Public Service. With me is
13 Commissioner Pat Acampora. She is one of five
14 members of the New York State Public Service
15 Commission. We talked just briefly--I'm going to go
16 a little off script--about the difference between the
17 department and the commission. I think it's
18 important that you know that the commissioners are
19 the ones that actually make determinations. The
20 department staff go out, do investigations, and we
21 make recommendations to the commissioners but the
22 commissioners are the ultimate decision makers.

23 This is a public statement hearing that's
24 been scheduled by the Public Service Commission for
25 the purpose of receiving your evaluation of Verizon's

1 Voice Link service on Fire Island during the summer
2 months. These comments are going to be used when the
3 commission has to make its determination about how to
4 respond to Verizon's tariff filing. We're going to
5 be recording these. There will be a public record
6 that is created and it will be in the public record
7 on our document management system. This session was
8 noticed on August 7th, 2013, and a press release was
9 also released August 9th. I've already indicated
10 they'll be transcribed. They're going to be part of
11 the public records. I just want to remind you if you
12 don't want to speak publicly there are numerous other
13 ways that you can comment, writing, email, telephone.
14 Information about that has already been provided.
15 You can ask at the back table if you don't remember
16 how to do that.

17 For the purpose of making a statement here,
18 what we ask is that you fill out one of these cards
19 that you can get in the back. I already have a stack
20 of cards. I haven't even looked at how many, but I
21 have quite a few. So I just would like to ask if
22 people could kind of keep moving so that we can get
23 to everyone who has come here today. I'd really,
24 really appreciate that.

25 Again, because we are recording it, please

1 use the microphone. That's the only way we are going
2 to capture your statement accurately. If you could
3 also silence any electronic devises that would be
4 appreciated. Very quickly, before we start with the
5 speakers, I do want to allow Commissioner Acampora to
6 speak because she wants to speak to you as well.

7 COMMISSIONER PATRICIA ACAMPORA: Good
8 afternoon everyone. As the Judge had stated, there
9 are five commissioners that make of the commission
10 and as the only Long Islander I felt that it was very
11 important to come here today to listen to your
12 remarks. I will not be making further remarks or I
13 will not be answering questions because in my role as
14 a commissioner I serve in quasi-judicial capacity.
15 So that any comments I might say I do not want to
16 prejudice the record, but I can assure you that I
17 will be here taking copious notes and I will probably
18 have writer's cramp by the end of this one, and that
19 I will make sure that I relay your concerns to the
20 other commissioners so that they are aware that I was
21 here, I was present. And what I relay to them is
22 what I feel they need to know that they might not be
23 reading when they read a lot of this material.

24 So I look forward to listening to all of
25 you. And thank you all for coming out. We obviously

1 know that this is a matter that is truly concerning
2 and that's why we did extend the record to do this
3 during the summer time when most of the population
4 was here and we want to hear what you have to say.
5 Thank you.

6 [Applause]

7 ALJ PHILLIPS: As I indicated, we generally
8 go by cards but I think we've--I think everyone's
9 agreeable to Mr. James Betz going first. If you'd
10 like to proceed?

11 MR. JAMES BETZ: Just basically repeating
12 what I said before. I own Maguire's Bay Front
13 Restaurant right over here. I'm also president of
14 the Ocean Beach Restaurant Association, so I'm
15 hopefully speaking for all of the restaurant owners
16 as well but whom ever has the Voice Link service it's
17 not really a good service for our restaurants for a
18 few reasons which I'll state right here.

19 First off, I am not getting a busy signal on
20 my line. Okay? They told me I could not get a busy
21 signal on my line. And when people call up and they
22 don't get a busy signal what they get is--what they
23 got for the first half of the season was a Verizon
24 message created by them that said "I'm sorry that,
25 you know, this line is not accepting calls," which

1 says to everybody that everyone in Fire Island is out
2 of business because of the Superstorm Sandy.

3 Second, when they fixed that or kind of
4 fixed it they gave me a message that I could put on
5 and the message basically says that anybody can call
6 up. When they get a busy signal it's going to state
7 "I'm sorry. I'm on the--I'm on my phone right now
8 please try and call back because I'm on the phone and
9 you're not getting a busy signal."

10 Another problem with the Voice Link system
11 is trying to dial out to confirm reservations. I've
12 had more no shows this year than I've ever had in the
13 past and the reason is Voice Link does not dial out
14 to some numbers. And I don't know what numbers they
15 are and they couldn't give me an answer on that,
16 whether it's--I think it has to do with area code or
17 whatever but doesn't dial out. And again I get a
18 message from Verizon saying "I'm sorry. We can't
19 dial out to this number," and then I pick up my cell
20 phone and I dial out to the number. I get the
21 customer. Now, my cell phone is from Colorado, a
22 Verizon--you know, a Verizon Colorado number and I
23 get the people. So I can't dial it from my (631)583-
24 8800 but I can dial from my 970. Okay? So that's
25 another problem.

1 The other problem is capacity on the
2 weekends. I'd say 50% of my phone calls when I pick
3 up the line when the phone is ringing I pick up the
4 line and there's nobody there. So I'm dropping calls
5 left and right. When I'm on the phone calling
6 people, I get dropped phone calls. Okay. And then
7 the sound quality on the whole system is horrible.

8 MULTIPLE VOICES: Horrible.

9 MR. BETZ: Horrible, and I probably speak
10 for everybody on that one.

11 MULTIPLE VOICES: Yes, yes.

12 MR. BETZ: And those are my comments for
13 Voice Link.

14 [Applause]

15 ALJ PHILLIPS: Thank you. The next speaker--
16 --and actually I'll call the next two--Bob Jaffe, I
17 hope I pronounce that correctly, and John Moran.

18 MR. BOB JAFFE: I actually prepared a
19 statement and--but something that you folks have
20 indicated scares me a little bit. The gentlemen who
21 was sitting there before said that the--that the
22 PSC's jurisdiction over this is about voice only.
23 Where have you been for the last 20, 30 years? Phone
24 lines are no longer just about voice. They haven't
25 been forever. I'm not saying the evil word

1 "internet." I'm talking about security systems,
2 healthy monitoring, fax. This has been around
3 forever. Why this is coming up to you guys now, it
4 just doesn't make sense.

5 I'll go back to what I came to say. Verizon
6 Voice Link is absolutely awful. I won't go into much
7 of the reasons for or the--I won't go into what's
8 actually occurring, but it starts with the quality of
9 what you hear and what you're speaking. Verizon
10 Voice Link is not comparable to hard wire copper.
11 Let's stop pretending that it is. Again, health
12 monitoring, security systems, fax, the internet, and
13 more, all of these features are currently available
14 with hard wire and will not be available with Voice
15 Link.

16 Verizon's complained about the expense of
17 infrastructure repairs resulting from Sandy. The
18 nice lady over there in Fair Harbor mentions for
19 three years ago, maybe four years ago, Verizon went
20 by and changed all the cables. And then they take
21 these splice boxes, that's where the two sets--where
22 the two cables intersect with perhaps thousands of
23 pairs of cable. These are lying in the sand in the
24 water. And then Verizon comes to us here and speaks
25 to the fact that their infrastructure is

1 deteriorating and they use Sandy an excuse. That's
2 crazy.

3 [Applause]

4 MR. JAFFE: It seems--it seems it's a little
5 convenient for our friends at Verizon. My hearts
6 bleeds for them. They have to fix their wires. You
7 left them lying in the sand.

8 Back to the PSC, did you ever--and I mention
9 the FCC because there's a side order FCC involved in
10 all this but the PSC obviously has the primary. Did
11 the PSC and the FCC ever consider that a storm might
12 someday wreak havoc on the communications in some
13 municipality, whether it be Fire Island or another?
14 Did the PSC ever anticipate a corporate goliath
15 balking at making repairs after a calamitous event?

16 Please do not allow Verizon to remove our
17 central services. We need the PSC and the FCC to get
18 in step with 21st century communications. This is
19 your job. Availability of reliable phone and
20 internet serves at a fair cost is essential to
21 competing in the 21st century. We request formally,
22 on the record, that you permanently resend the
23 temporary permission for Verizon to replace our hard
24 wire copper with inferior wireless service. Thank
25 you.

1 [Applause]

2 MR. JOHN MORAN: My name is John Moran. I'm
3 a 35-year resident of Ocean Beach, which means that
4 I've been paying Verizon for 35 years. Together with
5 my friend Carl Seligson from Seaview who's in the
6 front row, we both worked for a number of financial
7 institutions which covered the utility industry.
8 And, as I briefly alluded to the commissioner before
9 this meeting and I was glad to hear someone say that
10 in making this decision some thought will be given to
11 the history of what's going on here, I would contend
12 having been in industry observer that while I've
13 watched them put FiOS up and down my block in my
14 Westchester suburb, I've come here to Fire Island and
15 noticed for years that we've been getting short
16 shrift. Talk about the ability of them saying that
17 they're going to restore cell service to an
18 acceptable level and go back to the kind of cell
19 service we've been experiencing on a Sunday afternoon
20 for years, and ask can we believe that Verizon is
21 actually going to somehow miraculously now produce a
22 service which gives an acceptable level of service.
23 I mean to just make a simple utility
24 parallel, if LIPA was coming to you today and saying
25 they didn't need to provide electricity for peak

1 demand, you would tell them where to go. Verizon
2 doesn't seem to have the idea that they need to
3 provide an ability to have service that meets today's
4 needs, and that also can meet the capacity of demand
5 that comes here. We have DSL service and we may only
6 be part-time residents but that doesn't mean that
7 Verizon only bills us for six months of the summer.
8 My DSL service is X dollars for the six months it's
9 on. It's another \$10 for the six months it's off.

10 So please, commission--I can also
11 specifically go--I'm not so sure whether we're
12 talking about the ancillary services at this point
13 but clearly in terms of Voice Link I happened to be
14 one of those people that asked to have my wire
15 service restored on day one of the summer season and
16 happened to get my wire service back. But my
17 experience in dealing with everyone that has Voice
18 Link is almost every time we got a Voice Link call we
19 got disconnected while it was going on, and reaching
20 a number of people on Voice Link has been virtually
21 impossible.

22 The thing that really aggravates me though
23 is that my Westchester suburb, which is a hilly area
24 with water underground, could have enormous amounts
25 of money spent by Verizon to put in FiOS, but a

1 decision was made not put FiOS into Fire Island years
2 ago at a point where DSL is becoming like the elephant
3 in the room. It's a service that has long since
4 passed its usefulness and now we're begging to get
5 service that's third class.

6 [Applause]

7 MR. MORAN: In a nut shell, I hope the
8 commission will please, please think through this
9 totally unreasonable request and that somehow they'll
10 combine with the FCC in realizing that we're
11 absolutely getting screwed by Verizon.

12 [Applause]

13 ALJ PHILLIPS: Okay. I want to thank the
14 first two speakers. I'm going to call the next
15 three. Daryl Van Valkenburg, Judith Steinman, and Mo
16 Masson, if you could please come to the podium. So
17 again that's Daryl Van Valkenburg, Judith Steinman,
18 and Moe Mason.

19 MR. DARYL VAN VALKENBURG: Okay. Well, my
20 name is Daryl Van Valkenburg. I've been coming out
21 to Fire Island since 1975. Daryl Van Valkenburg,
22 I've been coming to Fire Island since 1975, had phone
23 service that whole time and our practice was never to
24 shut the phone service off in the winter. So we've
25 been paying for 12 months a year for all those years.

1 We had phone service at the beginning of the
2 year for about I think four, six weeks. Then we lost
3 phone service. I called repair, they said they'd
4 come repair it but they never showed up. I called
5 again when they didn't show up and they said that
6 they would come again and repair it. They called to
7 confirm that they were going to repair it and never
8 showed up.

9 By accident, I found out that the problem
10 was that the line from the--that came down the walk
11 was severed. So I called them again and I told them
12 that this is not like a complicated wire buried in
13 the ground, this is just a five minute job with
14 somebody with a latter. So they confirmed the
15 appointment again and said they would show up but
16 they didn't show up.

17 Finally, I called again and every time--I
18 called three or four times after that and every time
19 I called I got shot right straight to the Voice Link
20 sale service and they tried to sell me Voice Link.
21 You know, I didn't want Voice Link I told them
22 there's a very simple job just repair this. They
23 said "We are not going to repair that." So
24 eventually my wife called to complain to the PSC and
25 the PSC took the information. We got a call from

1 Verizon saying, "Why did you complain?"

2 [Laughter]

3 MR. VAN VALKENBURG: And my wife said "Well,
4 because we've--we lost our phone service. It's my
5 husband--I see the wires torn apart, you know, coming
6 down the walk. It's a five minute job and you
7 wouldn't repair it." And she said "Well, we aren't
8 going to repair that," and she tried to sell us Voice
9 Link.

10 [Laughter]

11 MR. VAN VALKENBURG: So I heard someone say
12 earlier that I think that this storm has just been an
13 excuse, and that's the way I took it. They just want
14 to sell you Voice Link, which we don't want.

15 [Applause]

16 MR. VAN VALKENBURG: I told them I already
17 have a wireless service, so I really don't need to
18 duplicate that with another wireless service. So
19 that's my...

20 [Applause]

21 MS. JUDY STEINMAN: Definitely not made for
22 short people. My name is Judy Steinman. I've been
23 an Ocean Beach resident for about 30--for about 30
24 years.

25 ALJ PHILLIPS: [Interposing] You might need

1 to hold it in your hand because it...

2 MS. STEINMAN: Okay. I don't want to rehash
3 what everybody else has said. I have the same
4 horrible complaints about Voice Link. The voice
5 quality is terrible. You dial and you get a busy
6 signal, and you dial again and you get another busy
7 signal, and you dial again and maybe the third time
8 your call goes through. Or maybe you get a recording
9 that says, "Verizon wireless cannot complete this
10 call as dialed," all kinds of strange message do you
11 get with Voice Link. Calls are dropped frequently.
12 I've about stopped using Voice Link for outgoing
13 calls. I almost always use my cell phone because
14 people mostly can't understand what I'm saying.
15 Usually that's not a problem when I speak.

16 A couple of other observations. I wonder,
17 for example, whether Verizon, which claims it's
18 losing money on the storm and therefore can't afford
19 to do anything about our infrastructure, didn't
20 collect money from FEMA to repair its facilities.
21 And I wonder whether also they didn't collect money
22 on some insurance policy on their facilities. I
23 don't know what the answer to those questions is but
24 I wonder whether a prudent, large corporation doesn't
25 in some way ensure itself against a major catastrophe

1 such as we saw with Superstorm Sandy.

2 I also want to posit that I think we've been
3 the object or subject, if you will, of a major
4 experiment by Verizon. I don't think they had any
5 idea what the outcome was going to be. I think they
6 had three hypotheses which they tested. One was that
7 they could provide us with good phone service. The
8 second one was that they could provide us with
9 reliable replacement for what we had. And the third
10 one is was that they could provide us with an
11 affordable replacement for what we had. Well, I've
12 got to conclude that these three hypotheses had been
13 disproven.

14 [Applause]

15 MS. STEINMAN: The quality of the voice
16 service is terrible. The service we get on the
17 telephone is unreliable. It's inferior to what we
18 had before. We were promised that there's a battery
19 pack in Voice Link that will power it when the
20 electricity goes out. Well, I don't know. How many
21 of you experienced the power outage a few weeks ago?
22 We here in Ocean Beach had no power about 10:30,
23 11:00 at night. There was propane emergency in this
24 village. The fire department turned off all the
25 electricity in Ocean Beach. And guess what else went

1 off with the electricity?

2 [Applause]

3 MS. STEINMAN: I, as many of my neighbors,
4 am a senior citizen. I live alone. I depend on
5 being able to contact emergency services, medical
6 services, fire, police. If I can't get them because
7 Voice Link doesn't work in a power outage, as we know
8 happened on Fire Island, what good is it to me?

9 And also we have found that the internet
10 alternatives provided to our former DSL services are
11 much more expensive than anything that we paid for
12 with DSL. We formally had unmetered good, reliable
13 internet service. We no longer have that. People
14 have patched together service using various
15 suppliers' hot spots, and that service sometimes
16 works well and sometimes it doesn't work well. It's
17 much more expensive. If you want to watch a movie or
18 download lots of data from somebody's site, it's very
19 expensive. So I urge the PSC to absolutely deny
20 Verizon their horrible request to replace our lined
21 telephone service with Voice Link. It is an
22 unmitigated catastrophe.

23 [Applause]

24 MS. MARTHA MASON: My name is Martha Mason
25 and I live in Seaview. And I don't want to repeat

1 everything that everyone else has said, but I do want
2 to repeat something that I said Tuesday night.

3 I think that it's important in evaluating
4 Verizon's request to consider the "where" of the
5 request. Fire Island is a very special place,
6 special to most of us in our hearts but mostly
7 special in terms of its needs. We're cut off from
8 the mainland. We have a very small--I'm one of the
9 people who lives here year-round. We have a very
10 small year round community that depends on reliable,
11 intelligent phone service in order to stay. And, if
12 we didn't stay, then when a house caught fire or when
13 a flood happened there would be no emergency services
14 people here to deal with it.

15 [Applause]

16 MS. MASON: So we are a valuable part of
17 Fire Island, a necessity, and it is--and Verizon is
18 making it more and more difficult for us to stay.
19 The other thing I want to say is that I was shocked
20 in this meeting to hear that Verizon is repairing
21 copper wire were it works. My copper wire still
22 works but I've been told not even to bother calling
23 if it goes out. So I live in total fear. I live
24 with my fingers crossed that it shouldn't go out.

25 And my biggest concern about going over to

1 Voice Link, aside what I hear about how the quality
2 is not good, my biggest concern is those power
3 outages. Again, taking Fire Island into
4 consideration, we have more power outages more often
5 than the mainland of Long Island or I would venture
6 to say basically anywhere else in the state of New
7 York. So again, even if the batteries worked which
8 on first--the first time they were called upon to
9 work they didn't, they work for 72 hours, I've been
10 out here for winters were I've had no electricity for
11 a week or longer but my phone works because its
12 copper wired.

13 So I urge the Public Service Commission to
14 take into account as they consider this request from
15 Verizon, take into account the place where Verizon is
16 requesting to put in what is clearly an inferior
17 service. Voice Link may someday be a great service
18 but trust me that's not today.

19 [Applause]

20 ALJ PHILLIPS: Thank you. I'm going to call
21 the next three speakers, Larry Litoff, Irving
22 Guberman, and Deborah Bach.

23 MR. LARRY LITOFF: Hi, my name is Larry
24 Litoff. I'm a resident of Ocean Beach. I chose--
25 well, although I was tried to be sold Voice Link, I

1 chose not to get it. I just wanted to reiterate what
2 one other gentleman said. Not only was I told when I
3 returned to Fire Island that my phone would be
4 reconnected and that someone would be there to do it,
5 and when I called and had not dial tone I was told
6 that someone would be there again and nobody showed
7 up.

8 Finally, when I spoke to Verizon and asked
9 them to just send a tech out to check my line--my,
10 all of my neighbors on my block had dial tone--there
11 was no problem with my line. I was told by Verizon
12 we're not going to send anybody, but then I got an
13 email that my dial tone was fixed. I got all
14 excited. I came out to Fire Island for Memorial Day
15 weekend and I found out that that wasn't that case.
16 Right?

17 I called the Public Service Commission and I
18 was given a case number and I got a call from Verizon
19 in Albany telling me they would check on it and get
20 back to me. That was the last I heard from Verizon,
21 the response was unbelievable bad.

22 And for many years I loved Verizon. I love
23 my wireless service. I love my FiOS service. I was
24 truly surprised at their response. And I understand
25 that they are connecting copper wire now, we'll see.

1 The issue of the cost didn't seem to be a
2 problem for Verizon to replace all of the copper wire
3 with fiber in downtown Manhattan. I'm sure that cost
4 a lot of money but they didn't balk about that.
5 Right? There balking about it because we have 2,700
6 lines. It was my understanding the Public Service
7 Commission and the FCC requires Verizon, who is a
8 monopoly in Fire Island, to provide service no matter
9 what it cost. And that they're asking at this point
10 to disconnect the service because it costs too much.

11 Seems to be they've made plenty of money
12 these last couple of years not only residents of Fire
13 Island but I'm sure we're being subsidized by the
14 rest of their network. And I would like to continue
15 to be subsidized even if it cost them too much. And
16 I would like the Public Service Commission to tell
17 them that because they are a monopoly on Fire Island
18 and we can't get it from anywhere else that they have
19 to do it.

20 [Applause]

21 MR. IRVING GUBERMAN: My name is Irving
22 Guberman. I live in the Fire Island summer club.
23 I'm not going to rehash all the inadequacies of Voice
24 Link which other speakers have so eloquently
25 mentioned, but I want to give you my personal

1 experience.

2 On August 15th, just about a week ago, two
3 physicians told me I should get immediate medical
4 attention and get to a hospital without delay. My
5 wife tried to get through on our Voice Link system
6 for 15 minutes, dropped calls, static, you know, name
7 it. She got through on her cell phone and I was
8 evacuated from the island. Fortunately we have a
9 terrific emergency response team.

10 [Applause]

11 MR. GUBERMAN: They did their job. Verizon
12 did not do their job. That's my personal experience,
13 and I just hope none of you have to go through 911
14 and have only Voice Link to depend upon.

15 [Applause]

16 MS. DEBORAH BACH: My name is Deborah Bach.
17 I live in Seaview. I've been a resident of Seaview
18 as a renter and home owner since the '60's. Before
19 that I was in Oakleyville where we had no phone
20 service until the Sea Shore put in phone polls or
21 phone lines, but that's neither here nor there.

22 What I would like to do is summarize what I
23 said earlier prior to the public hearing, which is
24 that we have been barraged by misinformation from
25 Verizon. And that barrage has lead people to make

1 decisions about their phones service and to abandon
2 it, not because it wasn't working necessarily but
3 because they thought--we've been told it's not going
4 to work. It may be tomorrow that it fails, it might
5 be next week, but you can't depend on it anymore so
6 you might as well throw it out. A number of people
7 did that.

8 I got--when I came out and lifted my phone
9 receiver I found a dial tone. I wasn't sure what
10 that meant but I was guardedly optimistic. And
11 subsequently talking to people in Ocean Beach who'd
12 had the Voice Link experience for a while I realized
13 that that was a hopeless technology as far as I was
14 concerned based on the experience people were having.
15 And so I want you to know that it is viewed as
16 hopeless because if there is any doubt in your mind
17 as to what you've heard so far it is a hopeless
18 technology right now. It might improve but it's not
19 there yet.

20 The misinformation as continued up to today
21 and I think that the concern I have, having dealt
22 with regulatory agencies on the city, state, and
23 federal level during my professional life, I must say
24 to you as regulators it is your job not to cooperate
25 with Verizon in investigating what's going on. It's

1 your job as regulators to enforce your tariff with
2 Verizon. And by enforcement I mean not saying, "Send
3 us a report and let us know how you're doing." What
4 I mean is that you have to go out into the field.
5 You've heard enough to know that this isn't working.
6 You have to send people into the field, technically
7 expert, not Verizon employees, not former Verizon
8 employees, but people from your staff. And if you
9 need to hire independent engineers we might have a
10 few people in the audience who could raise their
11 arms, but I think the important thing is that you
12 have independent engineering specialists out here on
13 Fire Island looking at the condition that we now know
14 exists on the island, not across the bay; and see
15 whether in fact the condition that we've been told
16 exists does indeed exist; and whether the repairs
17 that are required are actually the repairs that would
18 be required to get the copper wire back operating;
19 and whether in fact the lady who said all you needed
20 was a ladder--or was it a gentleman? I don't
21 remember.

22 Whomever it was I hope that you--if they
23 came and they didn't have their ladder you'd offer
24 one. The people need to have the trust restored in
25 the monopoly that Verizon has here. There's no trust

1 in Verizon at this time because we have been barraged
2 by misinformation.

3 As a final note, I'd like to tell you about
4 an experience I had regarding my land line. I keep
5 my land line on local all year around and I keep on
6 that account repair--the repair cost to keep that
7 land line operating. And many people I think do the
8 same, so that when you come out if something has to
9 be repaired you've already paid for the repair.
10 You're not going to pay \$60, \$90 dollars extra to get
11 it repaired if indeed they were willing to come,
12 which I hear they are not this summer.

13 So I think that the real question in my mind
14 is what is really going on here. We know that the
15 disrespect of the system on the island began far
16 earlier than the Sandy storm. The lady across the
17 room as already verified that equipment was placed in
18 a place it should not be and that--and that that was
19 made known. I don't know what the Public Service
20 Commission sees as its responsibility to this
21 community, but I believe as of today you have a big
22 job to do and we're depending on you to do that job.

23 [Applause]

24 ALJ PHILLIPS: Thank you. The next--I'd
25 like to call the next three speakers. Joel Stark,

1 Jane Levin, and Stephan Glacilla. Joel Stark, Jane--
2 I know. I'm just repeating it in case anyone didn't
3 hear me. And I hope I don't sound like I'm rushing
4 you. I kind of am but it's only because I want to
5 get to everyone.

6 MR. JOEL STARK: Talk fast, right?

7 ALJ PHILLIPS: I want everyone to speak.

8 MR. STARK: Talk fast.

9 ALJ PHILLIPS: No, no, no.

10 MR. STARK: Talk fast.

11 [Laughter]

12 MR. STARK: Listen, this was farce the first
13 hour here today. You know, we had Verizon answering
14 the things that happened last Tuesday and that's not
15 the purpose of this hearing I assume. It's to
16 provide PSC with information, not for Verizon to get
17 up here and explain to us and tell us all of the good
18 things they are presumably doing. That's not the
19 point.

20 Okay. Look, we all need to write to the
21 PSC, call the PSC, because they are the people making
22 the decision. Who are the PSC? Commissioner, thanks
23 for being here. Judge, thanks for being here. I
24 don't know how this whole thing started but if I
25 fantasize I'd say, "Ah, Verizon. I work for Verizon.

1 I'm for Verizon. Needless to say, I'm in the
2 interest of my profit making Verizon and what I'm
3 going to do is think of how we can use wireless so we
4 don't have all this maintenance stuff to do. Now
5 what shall I do? Ah, Fire Island, what a great
6 community. They're only there in the summer."

7 I happen to be here seven months of the year
8 and have been here for more than 30 years and the
9 fact is that someone in Verizon said lets test this
10 thing out. Apparently they decided this is a perfect
11 place especially after Sandy because the maintenance
12 costs here are enormous. Yes, Fire Island does not
13 make money for Verizon, clearly, but we spend a lot.
14 It's costing me twice as much now as it did last year
15 and the year before, but that's irrelevant to the
16 major issue.

17 So please, Public Service Commission, you
18 are public service in our interest and realize that
19 Verizon is a corporation designed to make profit. We
20 have learned that they set up this wireless unit
21 which is not regulated in the same way as Verizon
22 itself is regulated and they can do whatever the hell
23 they want. Look what's happening across this country
24 with unions. This is the time that I hope the
25 public, public, Public Service Commission realizes

1 their tremendous responsibility as to the issue.

2 Voice Link is terrible. We've heard enough
3 testament it is abominable. I can't tell you the
4 number of calls that I've gotten that I've never got
5 and how difficult it is.

6 [Laughter]

7 MR. STARK: You know, people, my cousin in
8 Seaview three times tried to call me, no answer,
9 Seaview. Voice Link, oh, sure, Verizon going to
10 build bigger towers and they'll fix some of this.
11 They'll come to your house and they'll tell you,
12 "Yeah, we'll take care of that." I've got three
13 calls in the past week from Verizon because I signed
14 up last week and I heard--oh, this lady was very kind
15 listening to all my complaints. Thank you very much
16 but again I'm sure some of you had the same
17 experiences. I'm over talking. Thank you, good
18 luck.

19 [Applause]

20 ALJ PHILLIPS: Thank you. Oh, sorry.

21 MS. JANE LEVIN: My name is Jane Levin.
22 I've been coming to Ocean Beach for over 60 years.
23 When I first came out my mother needed to make a
24 phone call. She went down to the Western Union
25 Office where there were pay phones and when we first

1 got a phone it was a party line. So we've been
2 paying Verizon for a long time. The beginning of
3 this summer, when I called Verizon to turn the phone
4 on, I was sure that if I had a phone and--they
5 couldn't tell me whether it was working until I took
6 it off suspension. If I had a phone and then it
7 stopped working there was nothing they would do about
8 it. Well, I go out. I was lucky, I had a dial tone.
9 It worked and it worked for July. But this month, I
10 never know from one day to the next whether it's
11 going to work or not.

12 Some days I--it's dead. Some days I can get
13 a dial tone and I can dial out, but I can't receive
14 calls. And some days it's working. Now last weekend
15 it worked. Thursday, Friday, Saturday, Sunday it was
16 working. It was working when I left on Monday. Well
17 someone from--Patrick from Verizon called to try to
18 sell me Voice Link. And I said I wouldn't take it.
19 And I told him what I thought about Verizon. Tuesday
20 the phone wasn't working.

21 [Laughter]

22 MS. LEVIN: And it's--came out here last
23 night, well, it's dead. Maybe it will pick up again,
24 maybe it won't. But anyway, I'm a senior citizen. I
25 worry about needing the medical alert eventually. I

1 had one for my mother when she was alive. I've lost
2 my DSL of course and the alternative is much more
3 expensive.

4 The people who I have talked to who have
5 Voice Link, I found the reception terrible. I have a
6 Verizon cell phone, why do I need to pay Verizon for
7 a second cell phone? There doesn't seem to be any
8 point to it. Thank you.

9 [Applause]

10 MR. STEPHEN GLACILLA: Hi. A lot of you
11 guys know who I am. My name is Steve Glacilla. I
12 live in Ocean Bay Park. I've been a year round
13 resident here for over 25 years. I've been here
14 since 1973. And I'm laughing because I used to work
15 for Western Union. Anyway, I have over 40 years in
16 the telecommunications business and the reason I'm
17 here today is because I represent a couple of
18 organizations. I'm a fire district commissioner in
19 Ocean Bay Park. I represent the Ocean Bay Park Fire
20 Department. I'm also on the board of the Ocean Bay
21 Park Association.

22 I also belong to an organization out here
23 which most of you don't know about. It's called the
24 Fire Island Law Enforcement and Safety Council, which
25 is a group of state police, regular police, Ocean

1 Beach Police, all the EMS services and fire chiefs on
2 Fire Island. Anyway, after that, just to give you a
3 heads up, I think I mentioned at the last meeting
4 with Senator Boyle that the fire departments were all
5 off at Voice Link.

6 I think I was--I was told that a couple of
7 them were given it without notice, but most of us
8 turned it down; mainly because it wasn't a reliable
9 service as far as we were concerned for life safety
10 issues because if you can't get in touch with the
11 fire department, who are you going to call? We
12 handle EMS, we handle all of the helicopter landings.
13 It's an important service to the people on the
14 barrier beach, especially year round. And again, as
15 you look around here, the people that are speaking
16 are all older people. I mean we don't have any kids
17 in here right now who rely solely on cell phones.

18 These are the people that need phone service
19 that you can do cardiac monitoring with. We just had
20 somebody flown off because they couldn't use a
21 regular phone. They had Voice Link and they couldn't
22 monitor the defibrillator they had built in. And I
23 think the woman is going to speak about that. I
24 can't mention who it is. Fax machines don't work.
25 The fire departments, they're going to give us copper

1 service, the schools and your local communities like
2 Ocean Beach's offices. If we're so important and
3 it's so vital to have copper lines, I feel everybody
4 should have copper lines.

5 [Applause]

6 MR. GLACILLA: Voice Link in the future may
7 be something that will be worthwhile, in the future.
8 It was tested in Florida. When we looked on the
9 internet we couldn't even find any tariffs or
10 anything about it. Their technicians were just sent
11 to try and see if people in Florida would get it.
12 Right now we're a test case. I know the Public
13 Service Commission and--well, the Inspector General
14 stopped them from putting it in upstate New York.
15 They're trying it in New Jersey. This is a test case
16 and once it goes through, I hate to say it, you know,
17 we're going to have problems. Anyway, thank you.

18 [Applause]

19 ALJ PHILLIPS: Thank you. I'm going to call
20 the next three. Louis Barash, Julie and Deborah
21 Lokin, and Brett Roberts. Just so you know, after
22 them it will be Roberta Harris and Judith Sandron
23 [phonetic], but for now Louis Barash.

24 MR. LOUIS BARASH: Thank you. My name is
25 Louis Barash. I live in Seaview. I first want to

1 say we very much appreciate the Commission coming
2 here today on a beautiful summer's day taking the
3 time to hear us. We almost didn't have a summer
4 because of Sandy. If you have the time after the
5 hearing you can take a walk to the beach and still
6 see some of the devastation there. But through some
7 spectacular efforts by our elected officials, by
8 first responders and the whole community, we have had
9 a summer. Everybody pitched in. Everybody that is
10 but Verizon.

11 [Applause]

12 MR. BARASH: In one of the most cynical
13 corporate maneuvers I've seen in a long career of
14 representing corporations, Verizon promptly after
15 Superstorm Sandy went to work repairing the Far
16 Rockaway system, repairing the southern Manhattan
17 system and did nothing here. It waited until spring
18 and made a so-called emergency application for relief
19 here, knowing full well all along it was not going to
20 serve the Fire Island community. Then it makes an
21 application which has zero basis in support and fact.

22 Its application claimed three things; one
23 that damage due to Superstorm Sandy has changed the
24 reality. Two, that repairing that damage would be
25 unreasonable. And three, that Voice Link will serve

1 as a reasonable replacement for those--for Wyatt
2 Service [phonetic]. None of those things is true and
3 you've heard it here today. First, as you've heard,
4 there were substantial complaints about copper wire
5 service maintenance on Fire Island before the storm.

6 The Commission needs to examine whether
7 Verizon's representations about the storm causing
8 damage are true, if in fact part or all of that
9 damage is a result of Verizon's failure to meet its
10 obligation prior to the storm, then Verizon's
11 application must fail. Secondly, the total amount of
12 cost that Verizon, and these are Verizon's figures
13 allegedly, that it will take to repair the system
14 here, is \$4.15 million dollars. I do not believe, by
15 the way, that scrutiny--that those numbers will
16 withstand any degree of scrutiny. They are probably
17 much smaller than that.

18 But four million dollars is a trifle to
19 Verizon as an entity and in comparison to the cost of
20 repairing either the Rockaways or the New York
21 system. Finally the service that they are providing
22 is not a replacement for its service. You've heard
23 it here today and indeed you've heard it from
24 Verizon's own mouth. They made very clear that
25 Verizon is not a product designed to serve customers.

1 It is a product designed solely to meet its
2 regulatory obligations. None of that is in the
3 public interest.

4 Moreover, as you've heard from many people
5 today and from complaints that have been filed
6 online, Verizon has been continuing up until a recent
7 hearing here in the City or a recent public forum in
8 this town, to defy with impunity the Commission's
9 order that it maintain where possible copper wire.
10 That bad faith is clearly designed to increase the
11 number of Voice Link installations and reduce the
12 Commission's flexibility in granting appropriate
13 relief when the time comes later this year. That
14 defiance is bad faith and in and of itself should be
15 sufficient for this Commission to reject Verizon's
16 application.

17 There is no support whatsoever for their
18 Fire Island application. Their broader application
19 should be rejected out of hand as not subject to the
20 emergency that it was claimed for. That should be
21 subject to a separate hearing that both the PSC and
22 the Federal Communications Commission is currently
23 hearing. With respect to Fire Island and Verizon
24 alone; Verizon cannot even meet the standards that it
25 is set up in its own tariff. It should be summarily

1 rejected and there really shouldn't be any reason for
2 any further debate by the Public Service Commission.
3 We appreciate you hearing us. Thank you very much.

4 [Applause]

5 ALJ PHILLIPS: Sorry. If you could just
6 hand it to the next speaker?

7 MS. DEBORAH LOKIN: Thank you. My name is
8 Deborah Lokin and I live in Fair Harbor. And I
9 started calling you guys in March about the issue and
10 I was told that all Verizon needs to provide is a
11 dial tone. So I think mostly everybody has a dial
12 tone. Oh, some people don't even have a dial tone.
13 Okay, I amend that. The point is that it's all well
14 and good for most of us to have a dial tone, but we
15 don't have service. We have dial tone, most of us,
16 but we don't have service. The voice quality,
17 everything that everybody has said is in fact true.

18 When I first came out here in March, I did
19 speak with actual Verizon workers who said they would
20 get over to my house. They never did. And that
21 evolved into, "I can't fix your line. I have been
22 told I can't fix your line." They could have fixed
23 the line, but they were told not to. That seems
24 wrong.

25 [Applause]

1 MS. LOKIN: The thing about having the
2 service is that the service just needs to work. I'm
3 not sure if everybody would be complaining as much as
4 they are if the alternative service worked. It
5 doesn't. And just one other thing that a fellow
6 before me or a couple of people before me mentioned;
7 if it is possible to hard-wire the fire departments
8 and the schools and so on, it's possible to hard-wire
9 everyone. That's all I have to say. Thank you.

10 [Applause]

11 MR. BRETT ROBERTS: Commissioner Acampora,
12 Judge Phillips, thank you very much for being here
13 today and listening to the voices of the people at
14 Fire Island. My name is Brett Roberts. I am the
15 Chairman of the Board of Fire Commissioners in the
16 Fair Harbor fire district. We cover approximately
17 600 homes in Fair Harbor, Lonelyville and Dunewood
18 for fire and EMS service. A lot of people today have
19 talked about the issues of how much it cost to do
20 that--to repair the service, how much it cost to--for
21 internet service, how much it costs for a lot of
22 different things.

23 And, certainly, the primary reason that
24 Verizon wants to eliminate the copper line service is
25 because it costs them more money. But I would like

1 to talk about something which seems to be a little
2 more important than money and that's the life safety
3 and the safety and the health of the people that we
4 serve in Fire Island. It's our responsibility to get
5 to people who have a fire or an EMS emergency as
6 quickly as I--as we can.

7 And since Fair Harbor has been doing a fire
8 service since 1931 and EMS service for the past ten
9 years, our response time is really terrific as far as
10 EMS service. Before ten years ago we used to have
11 salt air covering our three communities and the
12 response time was as good as they can be but it
13 wasn't as good as it is now. We can respond anywhere
14 to someone's house, anywhere in our district between
15 two minutes and the longest time, possibly ten
16 minutes, maybe to--if it's a fire call. And so it's
17 probably among the best time--response time certainly
18 in Suffolk County and probably in the state also.

19 And so--and as anyone who is in the medical
20 field or the EMS service knows, that the most
21 important time to respond to someone in an EMS
22 emergency, in a cardiac emergency is the first five
23 minutes. And if you get to somebody in the first
24 five minutes, you at least have a chance of bringing
25 them back. Because as anyone knows who has taken a

1 CPR course, that is the golden time. And every
2 minute after that, you are possibly--the possibility
3 to bringing someone back because as the people tell
4 us, as the instructors in CPR tell us, that you're
5 really bringing someone back from death.

6 And if we can bring somebody back, then
7 that's the most important thing that we can possibly
8 do. Now if someone calls on a wired line, calls 911,
9 they pretty much get through all the time and the
10 call is not dropped. I've been a Verizon cell phone
11 customer as long as I've had a cell phone and I've
12 been in Fire Island since 1994 and the cell phone
13 service of which Voice Link is partially--is on the
14 cell phone service uses the same infrastructure as
15 the cell phone service, the cell phone service on--
16 that Verizon provides on Fire Island can at the most
17 be called "spotty."

18 So there are certainly a lot of dropped
19 calls. And our greatest fear is that people will be
20 calling 911 and will have a dropped call. So we
21 can't get to someone's house 24 hours a day, 365 days
22 a year if we don't get a call. If we don't get toned
23 out and we don't have a chance to get to somebody,
24 it's possible that somebody could die. And certainly
25 since we've been doing EMS service, there is at least

1 three or four people who are alive today because we
2 started doing EMS service ten years ago.

3 And so I would urge the Public Service
4 Commission to put themselves in the place of someone
5 who is calling up for someone in your family 911 and
6 possibly getting a dropped call so that you can't
7 call 911 before the 911 operator gets all the proper
8 information so that they can alert what in Suffolk
9 County is called "Fire com" [phonetic] and get the
10 fire departments or the EMS services toned out so
11 that they can respond promptly. And, you know,
12 certainly most of our calls aren't life threatening
13 but we do get some life threatening calls. There is
14 some in Fair Harbor and Duneville [phonetic] and
15 Lonelyville. There's probably a lot more in Ocean
16 Beach.

17 And we would urge you to put yourselves in
18 our position and not to think about the money that
19 Verizon is saving by switching over everyone to Voice
20 Link and realizing that, you know, we are on a
21 somewhat isolated island and we need the best
22 possible service. And, you know, maybe sometime in
23 the future, you know, there will be a technology
24 where it will be completely automated and there won't
25 be any dropped calls in the self-service, but that

1 time is not now.

2 So thank you very much for your
3 consideration. Please reject Verizon's application.
4 Thank you.

5 [Applause]

6 ALJ PHILLIPS: Thank you. I just want to do
7 a time check. It's almost 2:00. We're moving
8 quickly, but I just want to remind people that I want
9 everyone to be able to speak and I have 50 cards and
10 we're now at 16. So Roberta Harris, Judith Sandgren,
11 Carl Seligson, and Phil Boyle.

12 MS. ROBERTA HARRIS: Hello, my name is
13 Roberta Harris. I live in Ocean Bay Park. Much of
14 what I have to say is a reiteration of what other
15 people have said; no dial tone, no service, get
16 nowhere, four people are supposed to show up, never
17 did, ticket numbers, etcetera. So making it very
18 quick, I am waiving my right to speak because I would
19 like to turn my time over to Peter Greenberg who
20 lives in Ocean Bay Park because he has a lot more
21 interesting stuff to say than I do.

22 MR. PETER GREENBERG: I did sign up.

23 ALJ PHILLIPS: Mr. Greenberg, Mr. Greenberg,
24 I'm sorry.

25 MR. GREENBERG: I was happy to wait my turn.

1 ALJ PHILLIPS: I know. Can--so can we do
2 that please?

3 MR. GREENBERG: Sure, absolutely. I--

4 ALJ PHILLIPS: [Interposing] It also helps
5 with the court reporter.

6 MS. JUDITH SANDGREN: I'm going to be short.
7 I can't sit through this anymore. My name is Judy
8 Sandgren. I can tell you how long I've been here.
9 Can you not hear? Oh, Judy Sandgren. I've been here
10 a long time, okay? Can you hear me? I don't know
11 how to do this. I agree with everything that has
12 been said and I won't repeat it. When I went to the
13 Verizon meeting, whenever it was, recently I said I
14 had a dial tone but since I had disconnected my DSL
15 service I was out--sorry out of luck. And since then
16 Verizon has called me and said they would try to
17 reinstate it because I probably could get it.

18 My concern is that I have spent \$700 at
19 least on alternate technology which is the jet pack,
20 a fancy cell phone which had, you know, which works
21 when it's during the week but not on the weekend
22 because there's too much use. If they do reconnect
23 my DSL, I want some financial consideration. Number
24 one, I don't want to pay more than I used to pay,
25 which was \$29.99 a month for the DSL. And I had a

1 minimal voice service. And I want some consideration
2 for the at least \$700 I have already outlaid because
3 of what they have caused me to do.

4 So that's--I don't know if that's a Public
5 Service Commission prerogative or the FCC, but
6 somebody needs to look at if they do reinstate our
7 DSL that it become affordable again.

8 [Applause]

9 MR. CARL SELIGSON: Good afternoon Judge,
10 Commissioner. My name is Carl Seligson. I am an
11 almost life-long resident of Sea View, thanks to my
12 parents who bought the house in 1945. So I've been
13 here 68 summers. I'm not here in the wintertime and
14 I applaud those, particularly the members of the
15 Ocean Beach Fire Department who are here in the
16 wintertime and who protect us all if they're called
17 upon to do so. I've heard most of what everything
18 has been said both at Tuesday night's meeting and
19 today's meeting. And I don't have any experience
20 with Voice Link because I never let it be put on.

21 I have suspended my wire line service last
22 fall, having been fortunate enough to leave before
23 Sandy. And I had it scheduled for reinstallation on
24 April 15th which is the day that I normally come
25 back. The service supposedly was turned on. When I

1 got here, I had a dial tone. My experience with that
2 was not particularly good, because while I could make
3 outgoing calls, incoming calls rang one time and then
4 were disconnected.

5 And when I reached the party or if I--if the
6 party tried to reach me subsequently by cell phone or
7 other means, it turned out that they got a recording
8 saying that my phone was out of service. I
9 complained; the same story everybody has. No one--
10 they gave me a date somebody would be there. I was
11 there all day long, 24 hours. They didn't come. I
12 called up and said what happened and they said, "Oh,
13 someone cancelled." I said, "Who cancelled?" "We
14 don't know." "Someone cancelled my appointment.
15 Give me another appointment." "No, we're not giving
16 any service appointments." So that's a common
17 complaint.

18 Let me tell you a little bit about my
19 personal background, because it does relate to Public
20 Service Commission processes; not necessarily New
21 York but including New York. I have appeared as an
22 expert financial witness in 18 different states
23 throughout my career, including New York State. I
24 have also served as a consultant to the Edison
25 Electric Institute during a period of time for six

1 years where they were having forum--fora I guess is
2 the plural for Public Service Commissioner's staff to
3 explain financial matters--and I was a great
4 participant in that both as an organizer and as a
5 speaker at those fora.

6 So that gives you a little bit of a
7 qualification thing. I recently had occasion to find
8 out that there was a presentation given by a Randy or
9 his full name is Randall Milch, M-I-L-C-H, who is the
10 Executive Vice President of Verizon on public policy
11 and I guess it's government relations, if I can read
12 this. And general counsel, excuse me. Executive
13 Vice President of public policy and general counsel.
14 Mr. Milch gave a presentation in Aspen, Colorado
15 recently to a group called the...excuse me, well
16 whatever it's called.

17 It was--the subject matter was creative
18 destruction. Now think about just that terminology,
19 "creative destruction." Basically what he was saying
20 was that we are in a new era. Everything has changed
21 over the years and continues to change, internet,
22 bah, bah, bah services, and what we're looking to do--
23 and I think this speech should have been given to
24 shareholders, but maybe it will be, that what they're
25 looking to do is to move to keep up with things that

1 are modern and move away from things that aren't.

2 When we first came to Fire Island, I too had
3 the situation of coming down here to use a payphone.
4 Then we had a party line. Then we got an individual
5 line and now we have no line. So that kind of all
6 moves around. I was subject last Thursday to a
7 telephone, which was only two days ago, to a
8 telephone call from Verizon telling me that because I
9 had wire line service from my phone I now was
10 potentially qualified for DSL which I had tried to
11 reinstitute back in April and they told me no, they
12 weren't performing that service.

13 So I think that again that is a common
14 complaint by a lot of people. I think a lot of good
15 points have been made today by various people. I'm
16 not going to bore you with all of them. You probably
17 know what they are. But you've all got something,
18 otherwise you wouldn't be here. I don't see anybody
19 getting up and I'm going to stay to the end. But I
20 want to know if there's anybody here who is going to
21 get up and tell them that Voice Link is a great
22 service? A good service? A fair service? Nobody is
23 here to say that--anything good about Voice Link.
24 And I think that's an important point.

25 [Applause]

1 MR. SELIGSON: I understand that--Verizon's
2 point of view, as a shareholder representative while
3 I was in Wall Street first as a security analyst and
4 then as an investment banker covering the electric
5 utility as John Moran said on covering the utility
6 industry. I knew the shareholder's side--

7 ALJ PHILLIPS: [Interposing] I'm sorry, Mr.
8 Seligson, can you--

9 MR. SELIGSON: [Interposing] I can try.

10 ALJ PHILLIPS: --kind of wrap it up?

11 MR. SELIGSON: Oh, sure.

12 ALJ PHILLIPS: Please, thank you.

13 MR. SELIGSON: I understand the shareholder
14 point of view and the company's point of view is
15 directed directly to shareholders and not to
16 subscribers and people who take their services.
17 Thank you.

18 [Applause]

19 SENATOR PHIL BOYLE: My name is Phil Boyle.
20 I'm the State Senator representing the western part
21 of Fire Island. I'd like to--

22 [Applause]

23 SENATOR BOYLE: I will be brief to allow the
24 residents and business owners to speak. I just want
25 to thank Your Honor, Commissioner Acampora, my former

1 colleague in the Assembly, thanks for coming, the PSC
2 staff and the department staff for holding not only
3 this hearing but also to--for extending the comment
4 period to allow more of us to have our say about
5 Voice Link technology.

6 Fire Islanders are a hearty crew. They live
7 and work on a barrier island. But part of that is
8 make everyone knowing that communications is key.
9 Whatever they do in life, communications is key. I
10 speak very proudly as the only active volunteer
11 firefighter in the New York State legislature. As
12 the Commissioner said, the Chief said minutes mean
13 lives out here, both emergency medical services but
14 also in fires. The houses on Fire Island are pretty
15 close together. There is brush in between them and
16 the wind blows. The fires spread very quickly when
17 they start.

18 I urge you to consider that because the
19 worst possible thing is the first respondents here do
20 a great job when they get the call, but they have to
21 get the call to be there in a hurry, to put out the
22 fire or save the life. I'll just end with saying
23 that it's been a long time since I was in law school,
24 but I remember the Latin phrase "Res ipsa loquiter."
25 It means the thing speaks for itself. A couple of

1 Tuesdays ago I had a hearing here, a forum on Voice
2 Link and it was packed.

3 Today on a Saturday in August, one of the
4 last beautiful Saturdays in August, this room is
5 again packed. We're not talking about a couple of
6 people saying, "I have trouble with this new
7 technology." Many people on Fire Island, business
8 owners and residents have trouble with this new
9 technology. Common sense dictates you do not test a
10 new technology on a barrier island. I urge you not
11 to let Verizon do it.

12 [Applause]

13 ALJ PHILLIPS: Thank you. The next three
14 speakers are Peter Greenberg, Bill Vitiello, Dave
15 Lipsy, and I'll add Liv Hemper and Marina Helfst.

16 MR. PETER GREENBERG: My name is Peter
17 Greenberg and I want to thank the Senator for your
18 services as a volunteer fireman. I am also a
19 volunteer fireman with Ocean Bay Park. And I've
20 actually been coming to Fire Island for 63 years.
21 When we started with--everybody talked about the
22 party line before. Let me tell you my party line
23 experience. 1956, yes I remember Hurricane Carol.
24 Every power line on this island was down. We had a
25 party line; the phone worked. The phone worked.

1 I wear three hats here; one of course being
2 a long time resident, one being a volunteer fireman
3 in which I don't have to reiterate the need for
4 adequate and quick response time. I think I can
5 speak for at least my fire chief when we tell you
6 that we are very concerned when a call comes in when
7 it gets misdirected because they don't know where
8 it's coming from and they cannot allocate the
9 resources fast enough. And last but not least, I am
10 a correspondent for CBS news.

11 I am not here in that capacity today. I am
12 not covering that story today. That would be a
13 conflict of interest for me, but I'm always on the
14 lookout for a good story. This is not a good story;
15 this is an important story. And many, many years ago
16 we put an ISDN line in at my house because I work
17 from my house here. I broadcast from my house here,
18 so now I have an occupational reason as well.
19 Verizon is denying my ability to broadcast. And for
20 those people in this room who know me, you know that
21 when I'm denied my ability to broadcast I tend to
22 broadcast a little louder.

23 That's not a threat; it's what I do for a
24 living. Again, I'm not representing CBS here today.
25 I'm representing myself; however it's an occupational

1 example of how this is affecting me. And last but
2 not least I noticed in your presentation that the PSC
3 is asking Verizon to essentially evaluate its own
4 service. This is absurd. That's like asking Boeing
5 to build a plane and tell you it's safe.

6 [Laughter]

7 MR. GREENBERG: I'm sorry. The evaluation
8 needs to be independent and based on what I've heard
9 today, I think you've heard the evaluation. Thank
10 you very much.

11 [Applause]

12 MR. BILL VITIELLO: Thank you for arranging
13 the hearing. My name is Bill Vitiello. I'm a
14 cottage owner at Point O'Woods and I work from my
15 home five to six months a year. I'm a Verizon
16 shareholder. I'm a co-founder of a telecom firm in
17 the nineties that supported 5,800--that's okay. I'll
18 wait.

19 [Pause]

20 MR. VITIELLO: I'm a Verizon shareholder and
21 a co-founder of a telecom firm that supported 5,800
22 small and medium-sized businesses on behalf of Nynex
23 [phonetic]. Prior to Sandy, I had two phone lines
24 and DSL service. With ten months to restore phone
25 service, Point O'Woods is the only community today

1 that does not have a single copper pair in service.
2 Despite claims to the contrary, not even our fire
3 department has been restored. Our field is used more
4 commonly than any other field for air rescue.

5 Our first responders don't have
6 communications that they can rely on, but yet
7 helicopters are landing in the middle of the night,
8 mostly on weekends, and we don't have any
9 communication services; this despite the fact that a
10 fiber line is still intact running through our
11 community. To make this brief, I will put it into
12 three categories; what is known publicly, what we've
13 been told by Verizon executives, and what the reality
14 of the situation is.

15 Publicly we know Verizon landline business
16 has been for sale for years, two to three years at
17 least. The land line business is union and the
18 wireless business is not. They are two separate
19 companies.

20 [Applause]

21 MR. VITIELLO: The third, public
22 information, this should not come as a surprise to
23 anybody. Verizon would prefer that the PSC oversight
24 go away, as it is on the wireless side. So let's
25 talk about some realities and some things that have

1 happened. The first few months we were given repair
2 appointments like everybody said. And we were told
3 the network was damaged beyond repair. There's a
4 couple of key statements that keep resonating over
5 and over and over again. And if you hear them enough
6 times, you start to believe that they are true.

7 If you speak to the technicians, as we
8 believe your obligation is to really dig down and
9 find the facts; they did more splicing after Irene
10 than what was needed to repair our network after
11 Sandy. Verizon is a world-class carrier. I am proud
12 to be a shareholder. I was proud to work with them.
13 I've never been more disappointed. If they wanted to
14 repair us, we would have been repaired in one week.
15 After 9/11, the stock exchange, which was totally
16 destroyed, was put back in business in three to four
17 days.

18 [Applause]

19 MR. VITIELLO: They sent technicians, not
20 regulators, to address the problem. The lack of
21 response and not allowing the techs on the Island to
22 do what they were trained to do, wanted to do, begged
23 to do, and were fired for doing without approval,
24 okay? Which was later cast as "the man had sandals
25 on," okay, what really happened was Verizon sees the

1 opportunity to advance and accelerate plans that had
2 been in the works for years. They want to go to a
3 wireless solution. As a shareholder I want the extra
4 profit. As a customer I want them to be responsible.

5 As the PSC, I believe you have an obligation
6 to make sure that they do it responsibly and give us
7 comparable service, which really should be talked
8 about, comparable service. Another thing that
9 Verizon is trying to position is, "We only have to
10 give you voice. We don't have to give you internet."
11 Let's talk about that for a minute. I'm not sure if
12 everybody knows, but the techs can tell you and a lot
13 of other people know; voice needs two copper lines or
14 a pair to work. Both have to work or you'll have no
15 voice conversation. That's the minimum that you have
16 to provide, that they have to provide as a carrier of
17 last resort.

18 If you look at DSL, it's not a separate
19 line. DSL only needs one of those two existing pair
20 that are served you, but yet they position it like
21 it's internet and we don't have to give you that.
22 It's not a separate service; it's a service carried
23 on a voice line. It's a feature of that voice line
24 that they are mandated to carry. It's easier to
25 restore DSL than it is a voice line, because if one

1 of my pair is out, they can still give voice line to
2 all of us on the other pair, if just one of those
3 lines is working. That's the irony of the situation.

4 So it's important when you say we don't want
5 to talk about data, we know the phone company doesn't
6 want to talk about data. We know the phone company
7 doesn't want to talk about the fact that I can't buy--
8 --I am--I have 22 days left in my billing month. I am
9 over 50 gig, okay, and they won't sell me a bigger
10 package. It doesn't exist. They'll charge me
11 overage charges of double as a penalty, but they
12 haven't put the tariff in place for large volume
13 users.

14 I used to work here; I can no longer work
15 here. I cannot give a web-x presentation. I
16 currently own a software company and I do web-x
17 presentations across--around the world. I can't do
18 it because of the latency in the internet service.
19 So it is definitely affecting my ability to be out
20 here in my cottage. What else were we told? We had
21 a meeting at Scatten Arps [phonetic] where the FIA
22 invited, begged, repeatedly requested, which took a
23 month, okay, in May. This was months after the
24 storm. Nobody was coming down.

25 I myself called people to say please come

1 fill the void of information with facts, not rumors.
2 I thought it would be the right thing to do to help
3 us. They came. Regulatory staff member informed us
4 that they had increased the capacity on our tower by
5 threefold. And even though they did that, they
6 didn't need to because their prior studies, which I
7 would respectfully ask you to verify, show that their
8 current capacity was only going to peak out at 80%
9 even with the 1,100 DSL customers, all the voice
10 customers, etcetera. They had more than enough
11 capacity to handle it. We said that was one of our
12 main concerns; capacity.

13 On a landline you get an "all circuits are
14 busy." On a cell switch you don't. You just get a
15 quick busy the minute you hit the last digit. So
16 people may not know that we're out of capacity. But
17 if you think someone is talking on the phone, it's
18 probably a capacity issue. Someone else said that
19 they needed three cell towers by some previous lower
20 ruling to triangulate. We don't have any
21 triangulation here. Point O'Woods actually offered
22 to put a cell tower up immediately after the storm.

23 We're a privately owned community and we did
24 not go through--need to go through the typical public
25 hearing and I said, "You can start building it on

1 Monday." We got the approval from the board and
2 within 24 hours I made the offer three times. No one
3 ever even called back to have an initial
4 conversation. So there was no intention. What
5 really happened was this was an opportunity to
6 accelerate the plans. That's what people that know
7 what's going on, they are aware of. The other
8 misstatement that they want to tell you over and over
9 again, and we're starting to believe it because I
10 hear it in the comments.

11 We're only three to four months of revenue.
12 Let's assume we were 12 months. Do you think we
13 would even show up 3,800 customers the revenue? Even
14 if we bought the triple play, we would not even show
15 up as a rounding error on the balance sheet of
16 Verizon. Yet they're waiving this as they can't
17 afford to service us because we are only three
18 months. Again, we fit the model. It's just that
19 this is a train wreck. We fit the model because
20 we'll be gone. They think we'll be gone, but we go
21 back to our offices. We go to political fundraisers.

22 We get more exercise in the winter than we
23 do in the summer. So this is not the end where we're
24 going away until next year. So the revenue issue
25 really, really bothers me.

1 ALJ PHILLIPS: I'm sorry. I just want to
2 check in with you because it's about eight minutes in
3 now. Is there a way to--

4 MR. VITIELLO: [Interposing] Yes, I'll be
5 very fast.

6 ALJ PHILLIPS: --sum up?

7 MR. VITIELLO: I want to put on the record
8 that--the issue of not being able to get it repaired
9 because the code is there. As Tom suggested, oh
10 maybe it was a mistake. She was not mistaken. I
11 begged her three times, okay, to put that in. And I
12 suggest everybody call Verizon today after the
13 meeting and see if you get the same experience.
14 There is no code for a repair. Okay? Now if you
15 call a special number, those people have probably
16 already been called to say, "Hey, take the repair
17 order."

18 Call the main number. Call the regular
19 number. They'll tell you if it's in the system or
20 not, okay? They can't contact in the next two hours
21 all of the customer service reps. This week I
22 already mentioned the--not a larger plan, okay? What
23 has Verizon done? If none of you have met Alicia Eve
24 [phonetic], I suggest you speak to her. She is one
25 of the nicest, brightest, most articulate women I

1 have met all summer. She has a Harvard MBA, Harvard
2 JD, and as of four weeks ago was working for the
3 governor. Now she's working for regulatory, and I
4 wish I was on the same side of this issue with her,
5 because she is absolutely delightful. But
6 unfortunately she came to meet a few of us to solve
7 our problem. When the stock exchange was down after
8 9/11 they sent techs. They were up in three days.
9 With all due respect, Alicia, you're not here to fix
10 our lines, with the PSC meeting coming in two weeks,
11 okay? So where's the engineer from Hotpot
12 [phonetic]? Where are the techs that know how to
13 repair the lines and how come they are not here
14 fixing us?

15 [Pause]

16 MR. VITIELLO: We realize that. This past
17 week, as a result of this hearing, Verizon reached
18 out and they called every single Voice Link customer.
19 Vandy Walker [phonetic] from Point O'Woods begged me
20 to put her name into the record. And she said, "They
21 called me. I started to tell them, Bill, about my
22 problems and they said, 'Can you hear me?' And she
23 says, 'Yes, but I want you--' she said, 'Thank you
24 very much. Voice Link is working,'" and hung up.

25 So the report you're going to get I'm sure,

1 if you haven't gotten it already, is going to say,
2 "We contacted 500 people and their Voice Links are
3 working fine." That's a false statement. I would
4 verify it. The fiber line is up and working. We
5 know that. Why would we put copper back in the
6 ground? Our ground is wet every full moon, every new
7 tide. It doesn't make any sense. The lines up on
8 the pole? They're working. That's how it should be
9 restored.

10 I'm going to wrap up for you. Okay, so
11 where do we go from here and what do we do? I'm
12 wrapping, thank you. As a customer, I'm concerned
13 that a continued resistance to full restoration will
14 leave us with no viable operation other than formally
15 requesting the PSC oversight of all services sold
16 including wireless. I respectfully ask that the PSC
17 confirm all of the facts that they are presented,
18 because we as a community will and we will be back to
19 the table to present them. So it will save future
20 embarrassment. Thank you for your time and for
21 listening. Thank you.

22 [Applause]

23 MS. LIV HEMPER: My name is Liv Hemper. I'm
24 from Saltaire. Do you hear me? I'm going to address
25 essentially just the Voice Link which I have

1 experienced--which I've been experienced--down?

2 Okay. Is that better?

3 ALJ PHILLIPS: You have to hold it close.

4 MS. HEMPER: This way? Is that better?

5 Okay. Okay, I'll just address the Voice Link if I
6 can help it. Dialing out problems; so many times I
7 dial out, especially when I dial somebody's cell
8 phone number I keep getting interrupted at the end of
9 the call, the dialing service, "Welcome to Verizon
10 Wireless. Your feature update could not be
11 completed. If you think you received this message in
12 error, please hang up and dial again." And it said--
13 and then it gives a message number. I don't even
14 know what that has to do with my phone call.

15 But anyway, that three or four times, after
16 you have tried that three or four times you are ready
17 to give up or throw the phone out the window.
18 That's--and another problem with dialing is you have
19 to be speedy dialing it because if you don't do it
20 fast enough that same message will come up again in
21 the middle of your dial. That's number one.
22 Incoming calls, I have people call me. They say they
23 get--again, "Welcome to Verizon Wireless." And the
24 person, "This--your call cannot be completed." For a
25 whole day somebody tried me. It was important. I

1 lost it.

2 The quality of calls; they are too loud. I
3 stand--I have to put the receiver at arm's length
4 sometimes to be able to understand the person who is--
5 -it sounds like he is yelling, he or she is yelling,
6 but it is terrible. Then the quality is also
7 metallic, it echoes and is unintelligible at times so
8 that I have to ask again and again, "Can you please
9 repeat? I can't understand you." That's really all,
10 but I just want you to know I'm a senior living alone
11 full time on Long--on Fire Island so my telephone is
12 very important to me. I'm sure you can all
13 understand that. This Voice Link may be good in five
14 years, but not now. I would urge the PSC to disallow
15 Verizon its requests. Thank you very much.

16 [Applause]

17 ALJ PHILLIPS: Okay. Again, I just want to
18 do a quick check. Dave Lipsy, did you say you didn't
19 want to speak? Is he still here? Okay. Okay,
20 Marina Helfst and Angie Carpenter?

21 MS. MARINA HELFST: Hello, my name is Marina
22 Helfst. I'm a summer resident of Saltaire. I want
23 to echo the concerns that have already been expressed
24 by those people who spoke before me and to introduce
25 an issue that I don't think has been introduced

1 before; and that is the issue of safety. As we
2 probably all know, wireless communications work
3 through the sending of microwave radiation through
4 the air. And here in Ocean Beach you guys have a big
5 tower high off the ground that is doing that.

6 And Saltaire Verizon has gone ahead and
7 installed something like 9 to 11, there is some
8 controversy as to how many actually there are
9 antennae. And these antennae are deployed through
10 the village. Some of them are in very close
11 proximity to living quarters. And I am just a
12 citizen. I'm not an engineer. I have been doing a
13 lot of research trying to figure out, you know, is
14 this regulated?

15 The SEC does have guidelines and does have--
16 sets limits for exposure to the general population to
17 the microwave radiation that is coming out of the
18 antennas. And when you have a high antenna like he
19 you are apparently excluded because they are assuming
20 you're safe. But the assumption is not so when the
21 antennas are placed below ten meters. And all the
22 antennas in Saltaire are below ten meters. And as
23 far as I know, there has been no effort whatsoever to
24 measure emissions or exposure from these antennas.

25 Just because you can't see it and you can't

1 smell it and you can't taste it, it doesn't mean it's
2 not there. It's there; research is plentiful. There
3 is thousands and thousands--there is volumes written
4 on the ill effects of this radiation. Also these
5 antennas are installed. They are distributed antenna
6 systems and they are technology agnostic, which means
7 that they can be used for link--Voice Link and they
8 can be used for anything else. So they--as far as--I
9 don't know if this is true or not, I'm not sure if
10 they will be forthcoming with the information, but
11 they could very easily use these antenna to boost
12 their own wireless, Verizon wireless service.

13 Which to me seems unfair since I'm an AT&T
14 carrier why, you know, I'm not getting any benefit
15 from it and it seems like they are taking an unfair
16 advantage of their already--monopoly that they have
17 on us. And just to conclude, I really--I have a lot
18 more to say but it's a long day, so basically I would
19 just like to conclude that I'm formally requesting
20 the PSC reject Verizon's request to discontinue its
21 current wire line service. Thank you.

22 [Applause]

23 HONORABLE ANGIE CARPENTER: Good afternoon.
24 My name is Angie Carpenter. I am a Suffolk County
25 treasurer and the last two years have been

1 legislature and also a member of the Fire Island law
2 enforcement and security council that was mentioned
3 earlier. And I too am here today to publicly request
4 that the PSC reject Verizon's request to abandon the
5 wire line service on the west end of Fire Island and
6 replace it with Voice Link.

7 The impact on the community of residents and
8 the hundreds of thousands of visitors during the
9 summer season will be devastating to many and on many
10 fronts. To use Superstorm Sandy, an unprecedented
11 storm which decimated sections of New York and New
12 Jersey as an excuse to force the residents of Fire
13 Island off traditional wire line service on to
14 wireless is really unconscionable.

15 [Applause]

16 HONORABLE CARPENTER: You know, LIPA has
17 been the butt of much criticism, but even LIPA had
18 crews working all over the island and restored power
19 to everyone within weeks. But Verizon did very, very
20 little. It appears that this might be a strategy to
21 force Verizon's customers away from the protection of
22 tariff services, which holds them accountable to the
23 PSC and off into the unregulated wireless arena. A
24 move like this would most definitely compromise
25 public safety and emergency services, and I think

1 we've heard that time and again today, put an undue
2 burden on the local municipalities, and threaten to
3 damage and undermine an already compromised quality
4 of life to the residents and visitors and further
5 erode the very, very fragile economic climate for the
6 businesses on the island.

7 Again I respectfully request that you
8 wholeheartedly reject Verizon's request to abandon a
9 land line service. And I would also like to thank
10 the PSC. You know, coming to Fire Island, as we all
11 know, is not an easy task. But you took the time to
12 be here where the people are at a time that the
13 people are here, and especially to the Commissioner.
14 She is one of five. She took the time to be here
15 today and I appreciate it.

16 [Applause]

17 HONORABLE CARPENTER: Commissioner Acampora
18 has a long history of service to the residents of New
19 York and Long Island. And I want to personally thank
20 you for being here. And I appreciated your comments
21 earlier that you will communicate to your fellow
22 members, your fellow Commission members just the real
23 sentiment and the passion that everyone here has
24 today for this issue. Thank you very much.

25 [Applause]

1 MS. PHILLIP: Okay. I'm just going to give
2 you another time check. I'm going to keep plowing
3 through but we're at about 2:30 and I've gone
4 throughout about half of the cards, so we're just
5 going to keep moving. The next give speakers are
6 Alice Herb, Jon Gordon, Joan Evans, Esther Roshwaab
7 and Eileen O'Neil. And again--are they still here?
8 Alice Herb? No? Jon Gordon? Joan Evans? Esther
9 Roshwaab? Are you Eileen? I'm sorry. Okay. Okay,
10 just give your--both--you can go. I don't know who
11 is who, so please state your name.

12 MS. JOAN EVANS: Hello, my name is Joan
13 Evans and I am from Fair Harbor, Fire Island. I
14 spend seven months per year there. And I would like
15 to make a statement about Voice Link service and
16 hearing impairment. And I will speak from my own
17 personal experience, if that's okay. And there are
18 two parts to hearing. And one is volume, which some
19 fortunate people can control by a hearing device or a
20 telephone or both. And the other part of hearing is
21 clarity of speech or word recognition. And I was
22 able to hear quite well I would say on a land line
23 and hold a long conversation.

24 And with the Voice Link service that I now
25 have my telephone is useless to me. I can't even

1 recognize who it is that is calling me and let alone
2 have a conversation with them. Communication is a
3 treasure and if you're losing your hearing you
4 experience that more than ever. And the Voice Link
5 service has really deprived me and I think many other
6 people of the ability to talk to those I love, my
7 family and friends, the people I work with, my
8 employer, the people in my community, public
9 officials such as yourselves, Congressmen, Senators,
10 emergency workers.

11 And what disturbs me is that in an emergency
12 if I could get through on the phone I would not know
13 what I was being directed to do or even if I was
14 speaking to the right person. Anecdotally I have to
15 say that somebody from Verizon called me a few days
16 ago and it took me a very long time to know who it
17 was that was calling and I finally discerned the word
18 "Verizon." So I had to ask him to call me back on my
19 cell phone, which is I would say not so great for me
20 and for husband. And so if--with many repetitions I
21 could finally understand that he wanted me to speak
22 about my service and I then did that.

23 But it's a huge loss, a huge loss and I
24 think a danger. And I didn't have this problem on a
25 landline at all. And I urge you to consider that

1 point of view when you're examining this issue.

2 Thank you for allowing me to speak.

3 [Applause]

4 MS. EILEEN O'NEIL: I'm Eileen O'Neil. I'm
5 the deputy commissioner for the Fair Harbor Dunewood
6 medical district and I just want to be on the record.
7 I did say much of this before. I think we all know
8 that the--first I want to make one point. There is a
9 lot of talk where several comments that were made
10 about Fire Island not making a significant economic
11 contribution to the bottom line of Verizon. But Fire
12 Island makes a significant contribution to the
13 economy of Long Island. And that is something that
14 we need not forget. And we need the communications
15 to continue that economic support for Long Island.

16 In terms of the medical district, this
17 failure of Verizon to even investigate what would be
18 missing with Voice Link in terms of those patients
19 who need to communicate via Med alert, that never
20 came up until I raised the question in my house when
21 they came to visit me two weeks ago. Today we heard
22 this exploratory--I found out information about what
23 is available. That information is I can't believe
24 that a company as sophisticated as Verizon is putting
25 forth a new technology and not know what they are

1 losing and in some way communicate to those whose
2 very lives depend on it.

3 There is absolutely the most appalling lack
4 of communication to the neediest people. There are
5 lots of people who can dial 911 and get through no
6 matter what system we have. But if you're not able
7 to get to a phone and you're dependent on a med
8 alert, or if you are the caregiver who has something
9 happen, the patient can then press the med alert.
10 And to have no regard for that and to look into what
11 would be lost, to me is shocking. And I want that on
12 the public record. And I, just as everybody else, I
13 am requesting that their request not be granted.
14 Thank you.

15 [Applause]

16 ALJ PHILLIPS: Thank you. I also have cards
17 for Adam Abrams, Chris Lincoln and Marki Knopp.

18 MR. ADAM C. ABRAMS: Good afternoon,
19 Commissioner, Judge Phillips. How are you today?
20 Thank you so much for coming. My name is Adam
21 Abrams. I'm an attorney and a real estate broker
22 here on Fire Island. I'm third generation from
23 Seaview. I grew up here. This is my 46th summer
24 living on the bay.

25 I just want to point out a few things. I am

1 not a Voice Link customer. I have stayed away from
2 it. So I'm not going to comment on the success for
3 failure of that project. I will however like to
4 point out a long history of Verizon abusing the
5 residents of Fire Island. Every summer I've come out
6 here, every winter I suspend my service. When I come
7 out on in the spring, there has always been a
8 problem. I started off with a landline from my home.
9 I added what's called a dry loop DSL for my home.
10 I've had four lines and a DSL for my office when I
11 had an office in Ocean Beach. I added up how much I
12 spent from 2010 to the present.

13 They are still sending me bills, despite the
14 fact that I have cancelled my service and have
15 requested refunds. I am still being billed six
16 months later, after I was run through the whole
17 rigmarole, several tickets for repairs for people
18 that have never shown up. I am told by any number of
19 Verizon employees that, yes, we will send somebody
20 out to fix your line. It took tens of hours of my
21 time and 20 or 30 calls to finally get a straight
22 answer saying that there's no more repairs going to
23 be done on Fire Island. I spent close to \$4,000
24 since 2010. That's not including the fact that
25 that's for home service and business service.

1 When I tried to convert my business service
2 to my home service, it took them six months to be
3 able to do that. When I tried to port my phone
4 numbers out to another company, it took me three
5 months to do that. They had tickets that they said
6 were open, repair tickets, that's why we can't port
7 your number. I said, "I was told you can't do the
8 repairs."

9 The point is that every summer there's been
10 a problem. Every summer they've come and fixed it
11 except for this summer. Why is this summer any
12 different? Because they are looking at their bottom
13 line. The bottom line is that they've been
14 collecting revenues on Fire Island through a monopoly
15 for as long as I've been here, 46 years. And now
16 when the time has come for them to reinvest, whether
17 it's copper service, FiOS, fiber optic, or whatever
18 service will work, they are not willing to expend the
19 dollars to pay back what they have received over year
20 and years of overbilling. One of my bills I went
21 back and looked for one month was \$500 for four lines
22 and a DSL. I was also phased out of my dry loop DSL
23 because it was not financially feasible for them,
24 nothing to do with the storm, but my suggestion to
25 Your Honor is to increase the scope.

1 And I would urge you to push back against
2 Verizon, not only deny their application to suspend
3 the tariff. I would include in that that DSL service
4 is an essential service that needs to be required for
5 them to provide on their copper lines pairs, and that
6 everything that they've received in the past, let
7 them open their books. Let them discourse all of the
8 profits that they've earned before they start
9 requesting that they do cost cutting measures to
10 deregulate their business, and so that the people of
11 Fire Island who have supported them for years and
12 years and years get the benefit of the bargain. This
13 is a two-way agreement. This is a contract for both
14 of us. They have required us to pay outrageous
15 exorbitant prices for years and years. Now when the
16 time comes for them to put back, they want to back
17 out of their end of the agreement.

18 When LIPA was out here and the power lines
19 failed, they called in technicians from all over the
20 country to get Fire Island back on the grid. Verizon
21 has technicians all over the country. If they wanted
22 to repair the service here, it would have been done,
23 and it would have been done cheaply, affordably,
24 efficiently, but not unregulated. Thank you for your
25 time.

1 [Applause]

2 MR. CHRIS LINCOLN: I'm Chris Lincoln. I'm
3 a 30 time--30-year part-time year-round resident here
4 in Ocean Beach. I'm the assistant fire chief of the
5 Ocean Beach Fire Department. By the way, if the fire
6 department did not have their copper lines we'd be
7 severely debilitated. There's no question about
8 that.

9 I'm a Verizon customer. I've had--all of
10 those years I've had two or three lines out here on
11 Fire Island. I've had five or six lines in
12 Manhattan. So I'm a--I'm a big Verizon customer. I
13 ran a computer network out here and I'm a software
14 developer like some of the other people here. I'm no
15 longer able to live here and do my work. That's
16 just--it's over without DSL. It's just not
17 economically viable nor technically viable.

18 I'd really like to--because the focus here
19 is on Voice Link, I'd like to go through this list
20 which is a bunch of features that are available on
21 copper but are not available on Voice Link. So it
22 speaks directly to the Voice Link issue. Some of
23 them are less essential like DVR. Some of them are
24 more essential for business owned--businessmen like
25 myself or the restaurant owners, and some of them are

1 essential for life for some smaller number of people,
2 as you mentioned here.

3 So I'm just going to go through the list.
4 And this is the list--this is the function--these are
5 the things that are available in copper that are not
6 available in Voice Link. That's fax machines, DVR
7 services, ATM business machines, credit card
8 processing, medical alert or other monitoring
9 services, deaf relay services for the hard of
10 hearing, that's TTY.

11 DSL which we've been talking about
12 extensively which people need for business, and also
13 DSL actually has a real effect on the economy of the
14 community at large. I mean without the DSL there's a
15 lot of people that can't live here. There's a lot of
16 people that don't want to come here anymore because
17 they don't have internet access.

18 Continuing with the list, monitored home
19 security systems, 500, 700, 900, 950, 976, 000010
20 codes, in other words international calls not
21 available on your Voice Link, calling cards, dial
22 around calls. You can't accept collect calls, third
23 party--third party billing. You can't bill any
24 changes on behalf of other carriers. So you can't
25 have international calls from other carriers. And it

1 doesn't require providing power. In other words, the
2 old copper you didn't have to have power for that
3 copper service to work.

4 E91SA guaranteed service, well Verizon will
5 tell you and in fact they've made significant efforts
6 to make 911 work, and to some degree they've made it
7 but they don't guarantee it. It's guaranteed on
8 copper. So they're formally guaranteeing that 911.
9 They're making a best effort but they're not
10 guaranteeing it. And then finally competitors can't
11 use the wires. In other words, the competitors are
12 not going to be able to use whatever system that
13 Verizon puts together.

14 So that's the list and I respectively--I
15 thank you for coming out here and I respectfully hope
16 that you will deny their application. Thank you.

17 [Applause]

18 MS. MARKI KNOPP: Hi. My name is Marki
19 Knopp and I would like you to deny Verizon, their
20 request. My husband is the gentleman that was taken
21 off the island on Monday via helicopter. He has a
22 defibrillator and a pacemaker in his body and if we
23 were able to use that--if the copper wires were
24 there, we could use that telephone service to
25 continually monitor him, but because we didn't and he

1 felt fine and he still feels fine after spending
2 three days in the hospital, had we been able to check
3 on him we probably could have gotten to the doctor
4 without him being helicoptered off the island because
5 we had no idea that this was going on inside his
6 body. So I urge you again to please deny their
7 request. Thank you.

8 [Applause]

9 ALJ PHILLIPS: Thank you. I have cards for
10 Karen Kee, Tara McBride, and Christine--I believe
11 it's Balogna. Okay.

12 MS. KAREN KEE: My name is Karen Kee and I
13 represent--I'm a Board Member of Ocean Bay Park
14 Association, and I represent well over 200 residents.
15 I've been serving on the board since 1985 and I'm
16 here to present the historic facts of Verizon
17 through--though claiming Superstorm Sandy was the
18 catalyst that caused this--them to abandon copper
19 wire, in fact I have examples, communications, and
20 photographs demonstrating that they had abandoned
21 proper maintenance and repair activities dating back
22 to 2009.

23 They were not completing, not repairing
24 lines that were flooded, that had water in the vault.
25 What they did was they took them out until they

1 dried. And showing such disrespect for us, they took
2 them out and blocked a fire hydrant and left it out
3 for well over a month, a deep hole, no access to the
4 fire hydrant. We notified Verizon that afternoon and
5 it took a month for them to cover up the hole they
6 had--they had created.

7 We have similar stories along the bay and
8 that connects Point O'Woods, the Bay Walk, to
9 Seaview. It's a very important wire that is buried
10 there and it floods continually. Every full moon it
11 is flooded and any rainstorm it's flooded, and there
12 is no attempt to get that to work. And this now is
13 2010 that this has been happening since. They could
14 have easily brought the line above ground. There's a
15 telephone pole right there. We said "Why aren't you
16 wiring to the telephone pole?" And they said, "Oh,
17 it's not cost effective. We're going to just leave
18 it here."

19 What we're concluding from this behavior is
20 that they had intended to abandon Fire Island long
21 ago. And when Superstorm Sandy hit they said, "All
22 right. We can get out of here now. PSC will believe
23 that it's impossible to go back and they're going to
24 grant this tariff." I think that what happened was
25 back in 2009 or earlier they said "We're out of here.

1 And then the PSC will certainly accept our story
2 after Sandy."

3 I also want to add that I attended that very
4 private meeting with Alicia Eve, who worked for Cuomo
5 in regulatory and was just brought over to Verizon in
6 regulatory. And she took copious notes on everything
7 we said, and there were four of us at that meeting.
8 And her conclusion was "I will bring this information
9 and these comments back to the people at Verizon who
10 need to hear it." And I groaned and said, "Why don't
11 we ever meet an operations person instead of
12 regulatory and public relations people to explain the
13 technical aspects of why they can't repair?"

14 All I ever hear is it's totally destroyed.
15 It's beyond recognition, beyond repair. How many
16 wires is that we're talking about? Is it--I can't be
17 all the wires because people are receiving copper
18 wires. So how many is that? They serve the Fire
19 Island, the fire departments and they manage to get
20 copper wire working there, and we don't know how many
21 other wires they could repair.

22 Finally, the point I want to make is that
23 we're not a cash cow for Verizon. They lose money
24 serving us but we all know that that revenue stream
25 that is lost is included in the rates they charge.

1 The rate structure, when they apply for a rate
2 structure as you probably know, includes the entire
3 Verizon balance sheet for this region. So the fact
4 that they're losing money here is expected. They're
5 a carrier of last resort and so they have to provide
6 and lose money, as most of them do. But the rate
7 structure includes the loss. So they're not losing
8 money. And that's all I wanted you to note in here.

9 I also, should you be interested, have
10 photographs of the disastrous holes they have left,
11 the dates of them, and the dates they repaired it.
12 Many--two of which are two years for them to get it
13 right and say "Wow, this floods all the time. Maybe
14 we should fix it." So should you be interested I
15 have those photographs. Thank you for that. Do you
16 want them?

17 ALJ PHILLIPS: You may give them to me.

18 MS. KEE: All right. I'll hand them to you
19 now.

20 [Applause]

21 MS. TARA MCBRIDE-HESSLIN: I have lots of
22 pictures too. I can email them if you're interested.

23 ALJ PHILLIPS: Thank you, Karen.

24 MS. MCBRIDE-HESSLIN: Hi. My name is Tara
25 McBride-Hesslin. Thank you for coming. I too object

1 to Verizon's tariff and I hope you'll reject it. I
2 live year-round in Lonleyville with my husband and
3 three children. All four of our landlines worked
4 throughout the storm up until early March.

5 My husband's a volunteer firefighter in Fair
6 Harbor. Two days after the storm, Connor [phonetic]
7 came out with members of the department to clear the
8 roads for emergency services. Because our house had
9 working and DSL, Connor and volunteer members were
10 able to stay at our house and work safely for three
11 weeks, readying the island for residents' returns.
12 When our phone lines went out in March, both at home
13 and for our small business DSL fax line, etcetera,
14 Verizon promised, like many others, to send someone
15 out, issued trouble tickets, then did an about face
16 and refused to come months later. The presidential
17 customer relations escalation department, who I've
18 had a four-year relationship with, refused to answer
19 my calls.

20 Most alarmingly though, Verizon left my
21 family without access to 911 for three weeks. It was
22 only after we placed many, many calls to the PSC and
23 wrote letters to elected officials on state and
24 county levels did Verizon finally install the new
25 Voice Link wireless system to our home. Again, it

1 took three weeks without 911. From what Verizon's
2 reps told me, we were the first to have the system on
3 Fire Island.

4 Unfortunately, the system proved unreliable
5 from the very start and had to be replaced within the
6 first week. The sound quality has always been poor.
7 It sounds under water when you're dialing. I can't
8 hear anybody. Some people said the volume was loud.
9 That's not the case for me. My children, friends,
10 and family tell me over and over again that when they
11 call the house the call is dropped or it makes an
12 alarming sound, and also they get very odd messages.
13 It prevents--Voice Link presents many challenges
14 Verizon doesn't want to talk about in public.

15 I'd like you to consider this scenario.
16 Grandma is watching my kids and suffers a stroke
17 while I'm in the city. My six-year-old tries to call
18 911, as he has been taught to do, but the power went
19 out during the storm and the battery backup on the
20 Voice Link system is dead. My son searches through
21 the drawers of our house for the extra double A
22 batteries, luckily finds three, opens the Voice Link
23 device, replaces the battery, and finally dials 911.
24 Oops, a little too late, they can't come. It's too
25 late.

1 I think a six-year-old could probably find
2 the batteries and replace them with some instruction,
3 but younger than that I seriously doubt. Verizon
4 will say the Voice Link system is better than a
5 landline because it identifies the location of the
6 emergency instantly, but without power that argument
7 falls flat.

8 Of course I'm glad it has the E911 feature,
9 but I suggest teaching children to be aware of where
10 they are as an easy fix, and one educators are
11 already addressing. Ignoring the serious risks
12 associated with teaching a small child how to locate
13 and change a battery backup system, particularly in
14 an area that LIPA's infrastructure is prone to fail,
15 is seriously negligent on Verizon's part. Verizon
16 will also try to blame the copper infrastructure and
17 as you know that--I'm going to skip that because we
18 already covered that.

19 My concern is that if Verizon is doing this
20 to me and other affluent seasonal residents, I'm sure
21 it's going to happen to many other folks, seniors,
22 and low income families that do not have the time or
23 resources to make their voices heard. Verizon's
24 decision to abandon copper will save the company
25 millions and I understand why from a financial

1 perspective the decision is strategic, but it puts
2 many people in danger. I don't want blood to have to
3 be shed before Verizon is held accountable. We need
4 to have measures put in place that ensure what
5 happens to us doesn't happen to other people in our
6 region or across the country.

7 I spoke before about Verizon's notice to me
8 saying that they were going to investigate the
9 facilities on Fire Island before Sandy. I'd like to
10 know if and how that investigation is under way, and
11 how other Fire Islanders can testify about their
12 experiences prior to Sandy. Notice of this
13 investigation should be made public. It's
14 particularly important that this investigation become
15 widely known and published so that comments can be
16 requested and others can attest to their longstanding
17 frustrations with Verizon and their lack of attention
18 to the infrastructure over the past four or five
19 years.

20 I'm going to skip a lot of this. My
21 understanding is that from an article published by
22 the FCC and a report in the National Regulatory
23 Research Institute, that carrier of last resort is in
24 place in New York as of April 12th. I can't find a
25 piece of legislation that changed this law, so I

1 don't know how an opinion by the PSC can change this
2 as I understand the PSC found that the availability
3 of basic telephone service was widely sufficient. If
4 service here on Fire Island is any indication, the
5 PSC mustn't have had all the facts at hand when they
6 came to that conclusion. And I'd like to understand
7 how they came to that conclusion that basic telephone
8 service was widely sufficient and that carrier of
9 last resort didn't apply, because I've been asking
10 since March to have my phone restored and that seemed
11 to be ignored over and over again. And, like
12 everybody else, my main concern is for wire line
13 services during emergency outages.

14 Verizon has stated where existing wire
15 copper pairs are functional they'll continue to use
16 them and provide services to the extent possible, but
17 when my DSL came back on in early May Verizon refused
18 to repair it. Only this week, after the angry mob
19 attacked them at the last hearing, did they finally
20 call and say that they would reinstate my DSL. They
21 sent four technicians out yesterday and they found
22 that, yes, the router worked and that the line was
23 fine, but that I needed to sign a new terms of
24 service agreement which I printed out and looked at
25 and it basically said you have no guarantee that the

1 phone lines going to work. We can take it away from
2 you at any given time.

3 So they discontinued my DSL service even
4 though I said on numerous occasions not to change any
5 of my lines, like everybody else here. So they've
6 been--they've been lying basically to everybody and
7 to you. And I'm really just concerned about
8 emergency services. Data will work itself out, but I
9 want to have access to emergency services for my kids
10 and the way they treated me and left us without 911
11 for three weeks and now have given me a Voice Link
12 service that doesn't work consistently, isn't
13 adequate, and I hope you will reject them. Thank
14 you.

15 [Applause]

16 ALJ PHILLIPS: Thank you. Is Gail Davis
17 here? Okay. Gail Davis, Deborah May, and Eric
18 Palatnik.

19 MS. GAIL DAVIS: Thank you for coming today.
20 We really all appreciate it very much. I find the
21 Voice Link service to be substandard. I believe it's
22 inadequate, unsafe, and unreliable. I have the Voice
23 Link service because when I came out here in March
24 and actually even earlier in January we did not have
25 any voice telephone service. We had no electricity

1 but I have a backup non electric telephone that I've
2 had for years but that failed to work as well. So I
3 got the Voice Link.

4 Unfortunately, as everybody has testified
5 already, often there are dropped calls. I call. I
6 don't get through. Often I call and somebody says
7 "Hello? Hello?" And they don't hear anything. They
8 hang up.

9 But my main concern--and I have two
10 concerns. One concern is the DSL and data service.
11 I'm very concerned with the emergency aspects that
12 are nonexistent in Voice Link. DSL and internet
13 service is no longer a luxury. It's an essential.
14 This is the way of the future. It is our
15 communication. It in some senses--some people
16 communicate through internet more so than the
17 telephone system nowadays. The fact that we don't
18 have DSL and no data service is I think very poor.

19 The emergency--the lack of emergency
20 services of Voice Link is also I feel unsafe and
21 unreliable. Without electricity, if the electricity
22 goes in another storm which is bound to happen at
23 some point, there's no way to contact the outside.
24 Voice Link says they have 36 rather than 72,
25 according to the terms of service that I received,

1 hours of backup service. Only two of which are
2 voice utilized, able to be utilized by talk time. In
3 Sandy, the wireless tower generator did not work. So
4 there would not be any service in any event if there
5 was--if there was not electricity and there would not
6 be the wireless tower. So there would be nothing.

7 We are a barrier island, as many people have
8 said. We particularly need access and communication
9 to the outside world, whether it be through internet
10 and copper hard wire. In an emergency, that is the
11 only reliable backup is hard wire. That's what we
12 need and that's what we believe we're entitled to.

13 It's disconcerting that Verizon let the
14 copper and--left the copper and trenches exposed to
15 the elements previously it seemed, according to the
16 testimony from 2009. And it seems that the damage to
17 the copper was of Verizon's own making. These seem
18 to be a self-created condition and certainly Verizon
19 should not benefit from such a self-created
20 condition. It's also disconcerting that in many
21 reports of homeowners--and I don't know whether
22 there's been testimony here today but there was the
23 other day at the other hearing--that when they
24 returned after Sandy both their voice and DSL
25 landlines were working. Then mysteriously the DSL

1 lines failed shortly thereafter.

2 We have all been paying the universal
3 service charge. We've been paying our bills for
4 many, many years. I'm a 35-year-old resident of
5 Saltaire and only today we find out that it's not the
6 cables to the island that have been destroying and
7 hurt. It's now cables on the island, and which is
8 even more disconcerting because Verizon's lack of
9 repair and self-creating this condition.

10 I also understand that all the
11 municipalities on Fire Island have fiber optic phone
12 and data service which works. Verizon has chosen not
13 to provide the residents which I believe is certainly
14 putting money above people. After years of paying
15 the universal service charge and our fees and being
16 loyal customers, this is no way to treat loyal
17 customers. Therefore, we respectfully ask that PSC
18 deny Verizon its request. Thank you.

19 [Applause]

20 MS. DEBORAH MAY: Hi there to those of you
21 who are still here. My name is Deborah May and I
22 live at 31 Island Walk in Lonleyville. I'm also a
23 member of the Board of Directors of the Taxpayers
24 Association of Lonleyville, and I'm here both as a
25 representative myself and also of many of the other

1 homeowners in Lonleyville.

2 Lonleyville's in a unique situation. Our
3 community, yes, was impacted by Hurricane Sandy,
4 although not as badly as some of the neighboring
5 towns. Many of our homes in Lonleyville have working
6 DSL and landline service. So while I know we're
7 supposed to be talking about Voice Link, our response
8 to Voice Link is that we're terrified that we may
9 have to take it. We have been told that if the
10 landlines fail we will not get them fixed, and I
11 think a lot of people have talked today about how
12 they've refused to repair the lines. We have been
13 left with some people who have perfectly functioning
14 service, other people that don't have any.

15 Unfortunately, I'm one of the people who
16 doesn't have any. There's a small cluster of
17 approximately five homes and I have been asking since
18 April for Verizon to come check a connection on the
19 pole, much like Daryl did in his conversation a long
20 time ago in one--at the beginning of the hearing
21 where he was talking about a line being broken. My
22 pole came down and I've been asking them to reconnect
23 the line to the pole, and they keep telling me they
24 can't do it. And finally I got a person who told me
25 they didn't have any parts to connect it, which that

1 was sort of my response. I laughed and I said
2 "You're not telling the truth." So after the hearing
3 two weeks ago they called me and said "Maybe we'll
4 see if we can get somebody to come out and check your
5 pole. We'll call you back tomorrow." But still
6 there's been nothing.

7 So aside from calling other people who have
8 Voice Link and realizing our calls don't go through
9 and the quality of the calls is bad, we're terrified
10 that we're going to be forced to go to Voice Link.
11 When early in the season I asked the people who were
12 selling Voice Link if I have a cellphone why do I
13 want Voice Link, and they had a hard time answering
14 me. So I said, "So you're asking me to pay for a
15 second poor quality cellphone when my first cellphone
16 also drops calls and doesn't have good service." So
17 that's been a concern.

18 We've really been left a lot of--out in the
19 cold with many of the responses. They haven't
20 responded to calls. They again tell us that they're
21 coming and they don't come. Finally they tell us
22 they're not fixing it. At the beginning of the
23 season, many of the Verizon technicians told us they
24 could have Lonleyville up and running in a few days,
25 but then they were told they couldn't do anything.

1 So we were left without being able to get our lines
2 fixed.

3 When many people are on the island, all are
4 trying to access their phones and internet via the
5 Verizon internet services, whether it be Voice Link
6 or cellphones or some people with AT&T and other
7 Sprint, all using the broadband. The calls aren't
8 working. The internet connections through cellular
9 hotspots aren't going. If there's a change in
10 service that's being made, it shouldn't be one that
11 leaves us in fear of having to get Voice Link. It
12 should be something that would be more of a concern
13 of is it going to do what we need. We're afraid of
14 it because it doesn't work.

15 You've heard today--I don't need to go into
16 it again--many, many reasons about why it doesn't
17 work. The safety concerns, the access for first
18 responders. We have several EMT first responders in
19 our community who are not getting the signals. They
20 do have Voice Link and they're not getting the
21 signals in a timely way. With the Verizon terms of
22 service, there's a disclaimer that talks about
23 limitations on 9-11 service--911 emergency services,
24 and it warns the customer that using the service may
25 be subject to network congestion and reduced routing

1 or processing speed. That doesn't give me great
2 confidence in the fact that they're going to get
3 there if there's an emergency.

4 Since the last hearing, many of us who
5 provided complaints at that hearing have been called
6 by Verizon and asked if we would be happy if they got
7 our phones and DSL working. Of course we said "Yes
8 we would. We would have been happy with that back in
9 April, but you didn't do it." So they've called.
10 They've said they're going to call us back or fix
11 things, but they haven't called us back and they
12 haven't fixed things yet.

13 I have been one of the people who have been
14 required to pay my bill for a nonworking line for the
15 entire summer. And when I said to them "Why do I--
16 why can't you credit it? My line doesn't work," they
17 says, "No, your only check is--your only option is to
18 get rid of that line and take Voice Link, and then
19 you won't have to pay for the line anymore." And
20 when I said to them, "Yes, I understand that but this
21 is a temporary ruling and I want to maintain my line
22 in case the ruling goes against Verizon." The
23 response I received from Verizon, "The ruling will
24 not go against us." Yeah. So what I want to say is,
25 "Given the amount of profit and tax breaks that

1 Verizon has, it seems reasonable to require them to
2 either fix the copper landlines, install fiber optic
3 cable which would be less susceptible to weather
4 damage, or set up a wireless system with reasonable
5 cost data options that has adequate broadband or
6 strength to work.

7 Please don't allow Verizon to abandon us
8 with an inadequate solution. Their people who are
9 answering the phones are already telling us it's a
10 done deal. Don't let it be.

11 [Applause]

12 ALJ PHILLIPS: Thank you. Thank you. I'm
13 going to keep pressing through. Is Eric Palatnik
14 here or no? Zabar? Okay. And after that is
15 Danielle--Daniel Gonzalez? No. Judy Corcoran?
16 Larry Mattiason?

17 MS. CAROL ZABAR: Hi. My name is Carol
18 Zabar. I am a resident of Seaview Fire Island for
19 the last 35 years. Frankly, I don't know why we're
20 having this conversation because I don't understand
21 why the Public Service Commission gave Verizon the
22 authority to not fix our lines. A public utility is
23 mandated to service customers. It's not optional.
24 Some years you make a lot, some years you don't make
25 so much, but you can't say "Oh, we're really not

1 going to do it because we're not making enough."
2 It's just not an option. Because you're a monopoly,
3 because you are a public utility, that's not
4 something you can say.

5 And why the Public Service Commission gave
6 Verizon the right to not fix the telephones out here
7 while their application was pending is something I
8 just don't understand. Whether or not it costs a lot
9 or it costs a little is really immaterial. If they
10 have a grievance that they're not making any money,
11 they're going to go out of business--it doesn't seem
12 so likely--they can ask the federal government for
13 relief and they have a lot of other options, but they
14 can't ask you, the Public Service Commission, to
15 relieve them of their obligation to provide service.

16 Service, I don't have a line at all. They
17 can't say "Well, you know what? We have this Voice
18 Link and it really doesn't do all the things that the
19 copper wire did, but it's good enough." They can't
20 say that. They simply don't have that option. Why
21 the Public Service Commission gave them the right to
22 go ahead and not fix the copper wire is something I
23 just don't understand. They're mandated to give us
24 service. They can't say "Oh, we can't do that. It's
25 just too expensive." So you've all heard what Voice

1 Link is about but to me it begs the question why was
2 the Public Service Commission so ready to say "Oh,
3 you're right. You're not making enough money. It's
4 too expensive."

5 You don't have to be a rocket scientist to
6 understand that Fire Island is the thin end of the
7 wedge. We are not that many people. We're here just
8 mainly during the summer months, but around the
9 country there are many, many other places that are
10 far away that are inconvenient for Verizon. And if
11 they can get away with not servicing their customers,
12 they're certainly going to get away with it. Please
13 deny their application which frankly I don't
14 understand why you took at all. Thank you.

15 [Applause]

16 MR. LARRY MATTIASON: My name is Larry
17 Mattiason. I have been a year-round resident here on
18 Fire Island since I was 13. At one point I was an
19 electrical contractor. I've been the chief of the
20 Ocean Bay Park Fire Department. Currently I'm an
21 assistant chief. I've done many things. I'm very
22 aware of all the infrastructure here on Fire Island.
23 I'm very aware of a lot of the infrastructure of the
24 phone company. I have--on occasions when they've
25 sent crews to make repairs in previous years that are

1 not fiddling with the island I've had a call from
2 Verizon, "I don't know who you are. You don't know
3 me, but the crew told me I should call you because
4 there's a crew out there who can't find their
5 underground cable and you know where it is." Okay?
6 That's where I stand on knowing the intricacies of
7 their system.

8 Now, the community of Seaview and Ocean Bay
9 Park, they're fed by mostly overhead aerial telephone
10 lines. The only section that feeds 100% of Seaview,
11 part of Ocean Beach, and a third of Ocean Bay Park,
12 is the underground section that goes from the central
13 office straight up to Midway, the center road here in
14 Ocean Beach. It goes overhead, splits into two
15 aerial lines, and feeds every customer, all overhead.
16 Now, Verizon said that they would maintain those
17 aerial lines. It's every line that goes into the
18 central office does go underground because they have
19 no aerial connections. So that's a short hop, a
20 short cable, but if that's the only section for all
21 of those customers why can't they fix that? And that
22 goes on. Ocean Beach has even shorter lines. They
23 have major aerial cables feeding the vast majority,
24 yet people are not given the service. Okay?

25 Down at the west end of Fire Island there

1 were these posters put all around town, "Get rid of
2 Verizon on and off the island." Verizon employees
3 were told to take those down. Okay?

4 FEMALE VOICE: They stopped - - .

5 MR. MATTIASON: Yes, they--

6 FEMALE VOICE: - - .

7 MR. MATTIASON: Okay. Now, I keep hearing
8 about copper line, dial tone. The Communications Act
9 of 1934, I didn't see dial tone mentioned in there.
10 I did a lot of--I didn't read the whole thing. It's
11 a lot of paperwork and I--you know, we're still
12 recovering from Sandy. I don't have that much time.
13 I did see mention of service, service, service. No
14 dial tone, no copper line. One part of it in there
15 is "No carriers shall discontinue, reduce, or impair
16 service to community or part of a community
17 unless/until there is such," very poorly worded,
18 "shall first have been obtained from the Commission a
19 certificate that neither the present or future public
20 convenience and necessity will be adversely affected
21 thereby," and then it goes on. Okay?

22 This is--you know, it's supposed to be that
23 the service is guaranteed by the federal government
24 and subsidized by the universal service fund.
25 Obviously that's not the case. I have an aerial map

1 showing all of the aerial lines that feed Seaview and
2 Ocean Beach. You can go around to all the
3 connections. What's not on here are the connections
4 that go to individual houses. I mean there are some
5 sections where you see a block but individual lines
6 just go down the poles. They're not on this. This
7 is just the main--the main trunk lines. Okay?

8 Now, the reason I was bringing up the act of
9 1934 and service, dial tone wasn't mentioned. Now,
10 back in the '20's the news wire service was using a
11 multiplex system to transmit news back and forth.
12 Now, most people don't think of that as being a modem
13 but the workings of it was a modem. It worked over
14 the phone lines in the '20's and that's the same
15 system we have now. It still works. It's the same
16 system that DSL goes over. So the service provided
17 was capable from before the enactment of the
18 regulation and it's--that should be included in what
19 they have to preserve. It's service that was
20 available and denying is right here. It's written it
21 shouldn't be.

22 As far as Verizon misleading customers, I
23 could give you a whole list of examples but you'd
24 have to rent a room tonight, so I'm not going to go
25 into that. On the web, insult to injury, I have here

1 a printout of their website. They have
2 advertisement. This is a specific site for Fire
3 Island and Voice Link. They have the recovery video.
4 FiOS Won Long Island, see the video. They have
5 advertisements for FiOS. We can't get it. It's
6 ridiculous. It's just an insult. And it goes on and
7 then they advertise--and then they advertise Voice
8 Link.

9 Like I say, Verizon has been extremely
10 misleading, outright lies. The crews trying to
11 repair the lines underground, they're saying "All we
12 need is a 100 foot piece of cable to make this
13 repair. We have a bad section. We can splice it at
14 one end, splice it at the other end, and that bad
15 section would be replaced. They were not given the
16 cable to do that." The most important thing for
17 preserving the underground cables are the--is air
18 pressure inside the jacket. All of these ditches
19 that were open, the cables exposed, the jackets cut,
20 they could not maintain air pressure. When Fire
21 Island Pines had problems with their underground feed
22 which eventually they tied into the existing fiber
23 optic, they put in overheard air lines to subsidize
24 the air supply. Those have been cut loose and
25 disconnected. So water--it's making it so water can

1 get in.

2 Even though all of that stuff has been done,
3 the splice crews have said, "We have 80 to 90% of the
4 pairs repairs to feed Ocean Bay Park." There is
5 three sections where Ocean Bay Park is tapped into
6 the underground cable, but that cable is not
7 functioning. It works, it can work, but they're not
8 letting it happen.

9 I'm cutting--I'm going a little out of order
10 because a lot of this stuff was touched on and I
11 don't want to keep repeating. Hold on. Okay. So
12 basically Verizon is using Fire Island to set the
13 precedent for Voice Link. The other night I'm
14 watching a national news show about a customer on the
15 upper east side. He called up, you know, the news
16 station. You know, Verizon has not fixed my phone
17 for a month. So the news people get there and find
18 out, you know, they came, they repaired one line. He
19 has a main line and a fax line. Well, they offered
20 him Voice Link for his fax line. You know, I don't
21 see the logic in that. And this is--this is in
22 Manhattan. They're trying to sneak Voice Link
23 anywhere they can and once you get it they're not
24 letting you switch back. It's not right.

25 It's not fair, and the problems are self-

1 caused. If you can--if you can get the people who
2 work on the lines, the splice crews, who were afraid
3 of their retirement, if you can--I mean if you could
4 subpoena them to testify and protect them, you would
5 find out a lot of information and how Verizon has
6 been very deceitful and outright lying.

7 [Applause]

8 MR. MATTIASON: Thank you.

9 ALJ PHILLIPS: Thank you. Again, I'll just
10 give you a quick time check. We're almost--it's
11 3:26. I have six more cards, so I'll see. Edward
12 Greenfield? No? Susan Slesinger? Okay. And what
13 about Ronnie Ilovitch [phonetic]? Elvitch
14 [phonetic]? Okay. Kurt Stall [phonetic]? Dawn
15 Lupert [phonetic], Lippert? Dawn Lippert? Jim Hoey?
16 I hope I'm saying that right. It's H-O-E-Y. And
17 Elizabeth Hubby? Okay.

18 MS. SUSAN SLESINGER: My name is Susan
19 Slesinger. I am a 23--sorry, 23-year summer resident
20 of Fair Harbor. I have no service whatsoever because
21 I have--I don't have any cell service where I am,
22 nothing. So I got Voice Link and last week we had a
23 really exciting week. All my smoke alarms went off
24 at once at night, at about 10:00 at night. And the--
25 my husband was there. I was in New York. And he

1 tried to use the Voice Link and it wouldn't go
2 through. He dialed 911. Nothing went through.

3 He then called--ran outside and ran way up
4 the street because we have no cell service, no
5 Verizon wireless service, nothing, nothing. And he
6 had to go up the street and he actually called me to
7 go, "Okay, what do I do," because he's my husband.
8 And I'm like "Okay, send my 11-year-old on his
9 bicycle to the fire station." Now, where does that
10 put us? That's how we have to--you know, send
11 someone to the fire station who then they called an
12 alarm and they came and it was really nothing.

13 But two days prior to that my 11-year-old
14 fell off his bicycle, slammed his head against the
15 walk, cut himself several places. And of course my
16 husband called me in the city, and we spoke for about
17 ten seconds and Voice Link cut out. We had seven
18 calls. I could not call them. They couldn't hear--
19 the phone wouldn't ring. I had four calls where I
20 say "Hello? Hello? Hello?" No one was there. And
21 I could see that the house was calling me, was there.

22 He had to run up the street, leave my son
23 hysterically crying, go all the way up the walk till
24 he had service to call me to say "Okay, you know, I
25 think he's okay." But, you know, this is ridiculous.

1 If there--how many people--like is someone going to
2 die? Is a child going to be killed, really, before
3 you guys decide that Verizon shouldn't be able to do
4 whatever they want and that we should actually have
5 service?

6 I mean Voice Link does not work. I asked
7 them to come and remove it because I don't want to
8 pay for something that's not--I mean I can't call it.
9 They cannot receive a phone call and you can't talk
10 for more than 10 or 20 seconds on the phone in my
11 house. So I have zero communication.

12 And I actually have another experience with
13 Voice Link. I have Verizon service in Manhattan on
14 my landline in my business, a business phone. And I
15 didn't have service for a month and a half. They
16 said a cable went out and until I called the Utility
17 Commission and filed a complaint, three complaints, I
18 finally got a phone call and they--she said--Verizon,
19 she said, "Oh, that cable should take two weeks at
20 the most to fix." But they did come and they gave me
21 Voice Link and it crapped out in two days. Okay? It
22 just stopped working. And I have--there's plenty of,
23 you know, internet there, you know, Verizon phones
24 work there easily, and it just stopped working.

25 So if there is an emergency in my house

1 someone is going to die. Someone is going to be
2 really hurt, or I have to send someone. I have to
3 run to the fire station. I mean what year really
4 does that put us back to? You know, I don't know.
5 So I can't--I think it's egregious that they were
6 allowed to do this and to offer this, and in your
7 conscience if you do this you will have blood on your
8 hands.

9 [Applause]

10 MS. SLESINGER: And I'm paying a babysitter
11 to be here all day.

12 MS. DAWN LIPPERT: Thank you. My name is
13 Dawn Lippert. I've been a 25-year year-round
14 resident. So I'm here in the off season. I've
15 written an email to the Public Service Commission
16 stating my concerns for EMS, fire, the school issues.
17 To be in compliance with the SEC we have to have, you
18 know, ability to--for the children to take their
19 tests online, but I covered all that in my email.

20 But what has come really to a concern is the
21 basic bottom line that Verizon wants to make a
22 profit, and by kicking it over to Verizon Wireless,
23 from what I understand, is a different company,
24 they're not under the, you know, obligations that
25 they had gotten being state of last resort giving us

1 landline. All Verizon can do is give us landline.
2 They don't have the wireless capabilities, which
3 means they'll have to subcontract it out to Verizon
4 Wireless. My concern is if you, you know, give them,
5 you know, what they're appealing for, they'll just
6 drop kick to Verizon Wireless and that's it. We'll
7 never get a landline again. And so--and which takes
8 them out of the regulatory obligations that they have
9 since, you know, wireless is not regulated. And my
10 concern, would we have recourse if we start having
11 problems with them. You know, do we have the appeals
12 of the Public Service Commission?

13 So I am just basically wanting to add to my
14 email concerns, which is all the safety with the
15 previous person. That would be horrible if a child
16 is hurt and she cannot get EMS services, a house
17 burns down because their monitoring system didn't
18 work, you know, someone dies because their, you know,
19 defibrillator information can't go through. And, you
20 know, school stuff, you know, but that's minimal
21 compared to the ability to have the fire and safety
22 and EMS ability established.

23 And, quite frankly, letting Verizon getting-
24 -get out of what they--you know, they wanted New
25 York. They get the good with the bad. Fire Island

1 is going to cost them money and they should just buck
2 up and do it, and not get out of their obligation by
3 drop kicking it to Verizon Wireless, which is another
4 company, and that's the only way you get Voice Link.
5 Fortunately, I don't have to have it so far because,
6 knock on wood, but I guess if they get what they're
7 asking for I won't have a choice. They'll just take-
8 -they'll just cut the whole landline system because
9 if they're not obligated to service it they won't
10 have to. So I please, please, please don't give them
11 what they want, their, you know, ability to get rid
12 of us. Thank you.

13 [Applause]

14 ALJ PHILLIPS: Okay. I just want to double
15 check again. The last two cards were Jim Hoey and
16 Elizabeth Hubby.

17 MS. ELIZABETH HUBBY: I'm here.

18 ALJ PHILLIPS: Oh, okay.

19 MS. HUBBY: Hi. I'm Elizabeth Hubby and I
20 am a summer person and an EMT spouse, but I actually
21 come by my suspicions of the phone company honestly.
22 My father basically originated enhanced 911, and he
23 told me about some ways in which the whole 911 system
24 should have greater scrutiny in terms of what
25 corporations can get away with.

1 I'm actually quite happy that I was
2 profitable for Verizon this year. I paid for my
3 phone service all winter long and that meant that I
4 didn't have to call Verizon and say "Please turn it
5 on," and that's why I'm the only person I know who
6 has DSL and has a working phone line. And so the
7 reason I'm here basically, genetics, and because I
8 feel that Verizon misrepresented, as you've heard,
9 but I have my own take on it. Misrepresented how far
10 gone the system was.

11 I think there's been no effort whatsoever to
12 explain why my service had no problems and my
13 neighbors were all unable even to try to see if their
14 system would work. One had reported last week that
15 she had been denied the chance to try it. After her
16 name and number were put in, Verizon called her last
17 week and said, "So, you weren't able to try your DSL.
18 You weren't able to try your landline, but you've got
19 Voice Link now so we can't try it anymore." So it's
20 that fraud of saying the system was wiped out that I
21 am most offended by, and I hope that basically we can
22 count on you to protect us.

23 A profit seeking corporation doesn't really
24 care if you walk through the streets of Ocean Beach
25 and you see a lot fewer people. People can't rent

1 their houses because they don't have internet to
2 provide. And we know we're going to go underwater in
3 another 100 years but we'd really rather not lose our
4 communities now. Thank you.

5 [Applause]

6 ALJ PHILLIPS: I just want to check. Are
7 there any other cards, Jill? Okay. Is there anyone
8 who didn't fill out a card who wants to, who would
9 like to, whose--

10 MALE VOICE: - - .

11 ALJ PHILLIPS: Yes, yes. I just want to say
12 thank you so much for coming out. Oh, sorry. I'm
13 sorry.

14 MS. ALIX BICKSON: It's okay.

15 ALJ PHILLIPS: What is your name?

16 MS. BICKSON: My name is Alix Bickson and my
17 family and I, we've been residents of Dunewood since
18 I was born.

19 ALJ PHILLIPS: Okay. You didn't fill out a
20 card though, right?

21 MS. BICKSON: No, I didn't. Am I still
22 allowed to speak?

23 ALJ PHILLIPS: Can you just spell your name?
24 Because we need to get it.

25 MS. BICKSON: Sure. A-L-I-X B-I-C-K-S-O-N,

1 Alix Bickson. I just wanted to state that the women
2 before me said that she paid for a DSL throughout the
3 winter and it still worked for her afterwards. My
4 family paid for our DSL throughout the winter and
5 that was not the case for us and that was not the
6 case for many others as well.

7 Just on a little note, I'm 21. I go to
8 Middlebury College and there is a lot of people and a
9 lot of discourse now that corporations run the world
10 and that there's nothing that can be done to stop
11 them, and that they can do whatever they want. And I
12 know that this is a small case and this is a small
13 island and we're a small group of people, but please
14 help us to prove that that's not the case, so that
15 corporations can't try and do this to other people
16 throughout the country as well. Thanks.

17 [Applause]

18 ALJ PHILLIPS: Thank you. Is there anyone
19 else who hasn't--

20 [Inaudible conversations]

21 ALJ PHILLIPS: Okay. Let--I'm sorry,
22 before we--before we do this, because you're voices
23 are not going to be captured unless you're on the
24 microphone. I just want to close out the hearing but
25 we'll stay here and talk to you for as long as you

1 need us to. Let me just finish. So I did want to
2 say thank you because I know some of you have been
3 here for the whole thing like me. Thank you so much
4 for coming out. We really do want to get your input.
5 This is helpful to us and I know it's very hard to be
6 inside on a day like today. So thank you for your
7 input and your comments.

8 Again, if you need to add to your comments,
9 if you want to provide additional information, there
10 are numerous ways that you can still do that. We ask
11 that you do that by I believe it's September 13th, so
12 that we'll have time to analyze your comments and
13 make sure that they're reflected.

14 As far as the schedule, my only
15 understanding is that there is a further report that
16 will be due, and then I don't think there has been a
17 date established for a decision because that will
18 have to be reviewed and I think as the staff
19 indicated earlier they're still doing their
20 investigation as well. So it's all on DMM. If you
21 go and type--I'm sorry, our Document Management
22 Matter system. If you go in and type the case number
23 you should be able to follow everything as it happens
24 because it will be on that public website.

25 So again thank you so much. We are formally

1 adjourned and off the record. Thank you.

2 [Applause]

3 [END OF HEARING]

C E R T I F I C A T E

I, Brandi Dean, certify that the foregoing transcript of proceedings in the New York State Department of Public Service, Case 13-C-0197 - Public Statement Hearing Verizon New York, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Signature: 

Date: August 26, 2013