

File name: PUCresponseToRuralResponse3-8-07.doc

RECEIVED

2007 MAR 12 AM 9:15

PLEASE SEND A RETURN EMAIL VERIFYING THAT YOU HAVE RECEIVED THIS DOCUMENT. Thank you.

RUR-T-07-01

To:

PUC Secretary via secretary@puc.idaho.gov

PUC Attorney Weldon Stutzman Weldon.stutzman@puc.idaho.gov

Daniel.klein@puc.idaho.gov

Dear Mr. Stutzman:

As per a conversation with your secretary, we are hereby submitting our response to Rural Telephone's Response Order 30232.

Please consider this an addition to our formal complaints of January 12, 2007 and January 9, 2006 concerning Rural Telephone.

RESPONSE TO RURAL TELEPHONE'S
RESPONSE ORDER 30232

Submitted on March 9, 2007
By Bill Uhl and Doris Helge

This document provides specific information concerning the following primary areas of response to Rural Telephone's Response Order 30232.

Relevant PUC Rules related to this response are cited within the document.

- Rural discriminated against the Shimoda account (864-2158) customers who complained on January 9, 2006 and January 12, 2007. Complainants were concerned about poor service by Rural Telephone during persistent phone outages (usually many days at a time) from November 2005 to January 2006. On the heels of their formal complaint, said customers were penalized by Rural reclassifying the account as a "business account."
- Rural is discriminating by not reclassifying other accounts in its service area. In order not to discriminate, Rural would have to reclassify accounts which are truly using residential phone lines to do retail business. Rural has not done so, even though Rural has had information concerning some such accounts for at least over

a year. Rural would also have to reclassify every account in its entire service area that uses a residential phone to conduct business . . . and Rural is not doing this. For example, ranchers, people using a residential line when doing a home business, eBay buyers and sellers, etc.

- Rural also retaliated, harassed, and discriminated against the Shimoda account by sending an illegal "Discontinue" notice while the Shimoda formal complaint was still pending with the PUC.
- Rural violated PUC Rules when sending the discontinue notice.
- Shimoda account customers responded appropriately to the information—and lack of information—Rural provided them when signing them up for their phone account.
- Rural cannot arbitrarily reclassify the account eight years later without allowing customers an opportunity "to correct Rural's mistake." Rural's attorney now claims Rural originally made a mistake when it classified the account and claims that the Shimoda customers must accept the consequences of "Rural's error." Not providing customers an opportunity to "rectify Rural's error" is discrimination.
- Rural Telephone is now choosing to inappropriately define the word "primarily" because it has not been following PUC guidelines on how to classify a phone account. Rural has chosen to reclassify the complainants as a business account after eight years of never questioning its original classification until after the complainants filed a Formal Complaint. This is discrimination. The Rural formula to determine "primarily" is inappropriate. Rural should not be allowed to determine the type of phone use by the Shimoda account. Examples follow.
 - Rural submitted inaccurate information concerning the Shimoda account to PUC in its Response to Rural Telephone's Response Order 30232.
 - Rural failed to prove that the Shimoda account is primarily used for business.
 - Rural is assuming that any listing on the Internet of a phone as a business account automatically proves:
 - because a phone number shows up on the Internet in a way associated with any business, that the phone account is PRIMARILY used for business.
 - that an Internet listing is accurate, even though any Internet user knows that anyone can post anything on the Internet, whether or not it is true.
- Rural has not proven who posted the entries it quotes.
- Rural has not proven "primary use of the Shimoda phone as a business line." A person may receive one business call a month or a year in response to someone seeing an Internet posting with a telephone number.
- Rural also makes inaccurate claims concerning Shimoda's use of the phone line for personal use. For example, even though, when the Rural phone service sign up

occurred nine years ago, most people didn't use Google, Rural's attorney now says, if Helge and Uhl don't have their phone number associated with them personally on the Internet (I suppose this means teenage sites like My Space), they aren't using their phone for personal use. This line of thinking assumes that the phone customers don't just call their friends and family and tell them their telephone number when they want to share it. It assumes that the customers wait to receive personal calls until friends and family find their phone number on the Internet. It also assumes we would want to invite unsolicited calls.

- The "Notice to disconnect" Rural sent Shimoda customers violated PUC Rules. Rural used the wrong word, did not tell customers how to rectify what Rural said was a problem, and did not inform customers of their right to complain. Rural did not tell customers how to file a complaint about Rural's action with PUC and did not quote PUC Rules by number. See specifics about these violations in the interior of this document.

DISCRIMINATION AGAINST CUSTOMERS AND PENALIZATION OF CUSTOMERS WHO COMPLAINED ABOUT POOR SERVICE

See Rule, 008 "Exercise of rights by customer."

"No telephone company shall discriminate or penalize a customer for exercising any right granted by these rules"

Also see the text under Rule 02A&B complaints.

"Customers have the right to file an informal or formal complaint against a telephone company."

Rural Telephone accepted the Application for Service without question nine years ago. Only after Shimoda account customers formally complained on January 9, 2006 did Rural decide to try to find a problem with the application and the account. The Rural attorney admitted this in Rural's Response Order 30232.

If Rural had discovered a problem with the application nine years ago, it would have been incumbent on Rural to provide an opportunity to correct what Rural decided eight years later was "a problem listing the account as Shimoda." The account could have been listed in the name of either "Bill Uhl" or "Doris Helge." This would have been a simple solution.

It is also interesting that companies like the Houston, Texas and the Atlanta, Georgia phone companies never had an issue with listing the account as "Shimoda," the name of the family trust. Why would Rural? And, why after eight years?

It was inappropriate for Rural to decide eight years later that listing the account as “Shimoda” was a problem AFTER A FORMAL COMPLAINT WAS FILED AGAINST

Page 4

Response to Rural Telephone's

Response Order 30232

3-9-07

RURAL BECAUSE OF POOR SERVICE DURING PERSISTENT OUTAGE DURING A 5-WEEK PERIOD OF TIME from November 2005 to January 2006.

It was inappropriate for Rural to decide eight years later that they made a mistake in classifying the account. **It would be illegal for any other business to hound a customer eight years later “because they made a mistake eight years ago.”**

Even if Rural did “make a mistake eight years ago,” it is inappropriate for Rural not to provide an opportunity for discussion so that customers could consider listing the account under a different name “because the company made a mistake eight years earlier.” This is further evidence of Rural discriminating against Shimoda customers.

Rural made an inappropriate decision to retaliate against customers because they filed a formal complaint. Rural arbitrarily reclassified our service from a residential to business account because we complained to PUC about poor service. Again, **we have a legal right to complain about poor utility service. This right is spelled out in PUC rules.**

1.

This is a quote from page 11 of Rural's Response to Order 30232, “Complainants had drawn the company's attention to their account because of their complaint.” The statement supports our contention that Rural discriminated against us and penalized us because we filed a formal complaint. As their document proves, Rural went over the Shimoda account with a fine toothed comb simply because we filed a formal complaint. Rural illegally discriminated against and penalized customers who exercised their legal right to complain about poor service.

DISCRIMINATION BY NOT RECLASSIFYING OTHER RURAL CUSTOMERS, AS PER RURAL'S OWN DEFINITION OF “DISCRIMINATION”

Please note Rural's definition of discrimination on pages 11-12 of Rural's Response to Order 30232, “Discrimination occurs when similarly situated persons are disparately treated without any rational basis.”

Please see page 3 of our first Formal Complaint to PUC dated January 9, 2006. You will notice that we provided a list of Atlanta residents who are known to run business out of their homes, using their residential phone lines. Some even have signs in their front yards advertising a retail business that is run out of their home.

To our knowledge, Rural has still not changed said phone accounts from residential to business accounts even though a list was mailed to Rural during the week of January 9, 2006, over one year ago.

Some of these customers are now doing even more businesses, such as Bob Bartemoccia's e-Bay business. Terry Applegate still buys and re-sells snowmobile parts from his residence and has done so for at least 14 years. One of his vendors is Western Power Sports in Boise, Idaho. Applegate's retail business sign, Atlanta Sports Center, still hangs in his front yard. Included in this document are pictures of that sign in Applegate's yard and a recent mailing label proving that Applegate receives deliveries addressed to Atlanta Sports Center at his residence address.

No matter how large or small their businesses, people all across the state of Idaho . . . and across all of Rural Telephone's geographic region . . . are using their home phone for business purposes.

Is it illegal for Rural to change the Shimoda account to a business rate without changing all other accounts? Note: To be legal, Rural must, in a nondiscriminatory manner, change all accounts, not just those in Atlanta (including those we told them about over one year ago in our formal complaints). Rural, in order not to discriminate, must reclassify all accounts across Rural's entire service region when business is done over a residential phone line.

The fact that Rural has not changed other accounts in Atlanta from residential to businesses—specifically accounts with retail signs in their front yard even though Rural has had information about these businesses for at least a year—proves discrimination by Rural. Go farther out in Rural's territory and note which accounts, from ranchers to people buying and selling on e-Bay to home businesses, are using residential accounts to conduct business. It is illegal and discriminatory for Rural to change Shimoda to a business account unless it changes every Rural customer across its entire territory.

RURAL MISUSED THE WORD "PRIMARILY"

The word, "primarily" extends beyond a sheer percentage of use. "Primarily" relates to the intent of why a customer signed up for a telephone.

Blacks Law Dictionary 4th Edition, page 1354, assigns a definition to the word "primary":

“Primary means primary purpose or intent; principle or first intentions with which an act or course of conduct is undertaken; that which is first in intention.”

Page 6
Response to Rural Telephone's
Response Order 30232
3-9-07

In other words, a sheer percentage of use, even if one could prove such, would not be a valid test of “primary” because the intent is critical, why a customer signs up for a phone. In our case, we signed up for a phone primarily for personal use and access to the Sheriff's Office, 911, or other emergency services.

A reasonable, unbiased reviewer of Rural's Response to Order 30232 would easily determine how paltry Rural's “evidence” is that Shimoda's phone use is primarily for business.

RURAL MISUSED INTERNET DATA IN AN EFFORT TO PROVE ITS POINT. RURAL'S RESPONSE TO PUC" INCLUDES MANY PAGES THAT HAVE NOTHING ABOUT SHIMODA AND THIS BULKY DOCUMENT DOES NOT PROVE "PRIMARY USE"

A.

We all know that anyone can post anything on the Internet whether or not it is true. In this case, much of what Rural offers as “Internet evidence of primary use” is sad indeed. Is Rural attempting to pad its evidence with thick google searches that don't even implicate Shimoda? Note: In one 17 page google search, there is only one mention of Shimoda anywhere in the 17 pages. That one entry mentions nothing about Shimoda doing business even though other entries do. The Shimoda entry merely says “Shimoda 864-2158.” So, that is the Shimoda account phone number. So . . . ?

Even if the entry mentioned business use (again, it doesn't), it would in no way prove “primary use.” It would give no clue how much phone time was related to business.

B.

Rural loses this case for itself by including so much superfluous and inaccurate information in Rural's Response to Order 30232. Are they assuming PUC will not read what Rural provides or that PUC just wants bulk? For example, page after page talks about Shimoda as different people in Hawaii, Florida, Japan, China, Wisconsin, Kentucky, Idaho Falls, Georgia, and other places that have absolutely nothing to do with a phone under the name of Shimoda in Atlanta, Idaho.

Rural included duplicates of the same page. Would an unbiased reader wonder if Rural thinks bulk of paper will win their case since they have no real evidence of “primary business use?”

Page 7
Response to Rural Telephone's
Response Order 30232
3-9-07

Some of the pages Rural provided as google search information clearly state “nothing was found” and “we could not find any listings to display.” Rural makes an assumption that if “Doris Helge” or “Bill Uhl” did not choose to list their phone number in a google search that they are not using the phone for personal use. Is Rural assuming that everyone wants their phone number endlessly on the Internet, inviting unsolicited calls? When you set up a phone, do you call your friends and family and tell them the number? Surely, you don't assume your friends and family will look for your number on google. Our friends and family had our number long before they used google. This number has been used by them for nine years.

The questionable Internet listings go on and on. In the 17 page search, there is a listing for “Idaho Horse Board?” What is that? Who put the number 864-2158 by that listing? Is it a typo? Again, anything can be put up by anyone on the Internet. We can't find anyone in Atlanta who has heard of an Idaho Horse Board in Atlanta and we have never been associated with an Idaho Horse Board?

Page after page lists entries for other people and for businesses with which we have no association. Did Rural assume PUC just wants bulk and bluff instead of substance to prove their case? The following are a small percentage of the names listed in the pages Rural provided that have nothing to do with Shimoda in Atlanta, Idaho. **We do not know these people and are not associated with their businesses. Their phone number is not our phone number.**

- Todd Shimoda has many entries
- A Shimoda in Atlanta Georgia
- Sumo wrestlers
- H Shimoda
- Shimkus . . . many, many entries
- Shimea
- Shimkus-HelmerkStaab Funeral Homes
- Shimla
- Shimley's
- Shimm
- Shimmel . . . many entries
- Shimmer . . . many entries
- Shimmerance

- Shemmering . . . many entries
- Shimmerlik
- Shimmers
- Shimmery

Page 8

Response to Rural Telephone's

Response Order 30232

3-9-07

- Shimmerz
- Shimmick . . . many entries
- Shimmin . . . several entries
- Shimmon
- Shimmy . . . several entries
- Shimmy's
- Shimmyo
- Shimna
- Shimo L
- Shimo K
- Shimo Restaurant
- Shimo Restaurant 2
- Shimock's . . . several entries
- Finally! Shimoda in Atlanta . . . It says nothing about a business. It just says Atlanta ID 83601 and the phone number. This is important because other "business listings" describe their business/activities/etc.
- Shimoda . . . many entries in many states. In fact 2 pages of Shimoda's that have nothing to do with us
- Shimoff . . . several entries
- Shimogaki . . 2 entries
- Shimogama
- Shimogawa
- Shimohara
- Shimoide
- Shimokajy
- Shimokawa
- Shimokawa . . . a couple of entries
- Shimokochi
- Shimomay.
- Shimomaye . . . several entries
- Shimomi
- Shimomora
- Shimomota . . . several entries
- Shimomura . . . many entries
- Shimomura . . . several entries

- Shimon . . . several entries
- Shimoa . . . 2 pages of entries

Rural also threw in the fact that we buy flower essences from 3 Flowers Healing for our personal use. We didn't know they had our phone number on their spot on the Internet. If this is a problem, is Rural claiming that all of its customers who buy products from any

Page 9

Response to Rural Telephone's

Response Order 30232

3-9-07

company that puts their phone number on line are primarily a business? If so, penalize all Rural customers, not just us.

Rural has a posting of Merchant Circle and Horse Board? Why? What does that have to do with the Atlanta, Idaho Shimoda account? What is Merchant Circle? What does that have to do with Shimoda?

Why does Rural care that Bill Uhl had an article printed in a motorcycle journal, for which he received no pay? Did Uhl advertise his telephone number? No.

Why does Rural care that Doris Helge and Amy O'Brien were in a newspaper article speaking out against the possibility of a strip mine coming into Atlanta? The article didn't have Helge's telephone number in it. Does Rural want to penalize Helge for her right to be a citizen with an opinion?

In addition, many of the entries in Rural's Response to PUC are very jumbled.

Wouldn't a law professor shake his or her head if a law student turned in "evidence" that wasn't evidence?

RURAL FAILED TO PROVE "PRIMARY USE" OF THE SHIMODA ACCOUNT FOR BUSINESS

Let's assume for a moment that one of Rural's google search entries turns out to be legitimate. How does that prove that the Shimoda phone is used "primarily" for business? If Shimoda received one call a year or even a week, that certainly wouldn't be "primarily."

Having a telephone number show up on the internet has no relationship to determining "primary use" of a telephone.

By PUC Rule 09 "Residential Telephone Service," we can use our residential phone for business use as long as that is not our primary use.

As previously stated, 98% of our business correspondence is done over the Internet because we have direct satellite service so we do not have to spend money making a long-distance call. Except for friends and family who enjoy the personal touch of talking, most people today feel as we do. This is 2007. Most business is done over the Internet whenever possible, not on expensive long-distance phone lines.

Page 10
Response to Rural Telephone's
Response Order 30232
3-9-07

Note the precedent PUC set in Case No. U-1038-9 Order No. 18102, the case of the door to door saleswoman who was harassed and discriminated against by a rural phone company. Her **primary source** of communication was person to person so PUC ruled that having her phone number on her business card and flyers was okay.

In our case, our business card and flyer is our Internet presence. We do business on the Internet. **According to the precedent PUC set in Case No. U-1038-9 Order No. 18102, our behavior is acceptable.** Again, this is 2007. Very few people want to pay for a long-distance call when they can email for free, at a time that is convenient for them. Please keep in mind, in Atlanta, Idaho, in the summer, there are a maximum of approximately 50 people and in the winter at most 27 people Atlanta phone customers can talk to without paying a long-distance fee.

In summary:

- **Rural has not proven that “primary use” of our residential phone account is business.**
- Nor have they addressed our original intent of getting a phone. (See the *Black's Law Dictionary* definition quoted earlier.)
- Anyone can post anything on the Internet.
- Rural provided very, very questionable information in its Response to PUC.
- Rural also provided pages and pages of irrelevant information that has nothing to do with how we use our phone.
- Finally, showing up in a business listing (especially without one's permission) in no way indicates “primary use” of a phone line.

Rural's “evidence” is not evidence of primary use. Rural has not proven its contentions regarding how we use our phone.

Just in case Rural misinterpreted the statement on page 6 of our formal complaint of 1-12-07 at the third bullet statement, note that the entire section of bullets was about business usage of phones and we were referring to Case #U-1038-8. In other words, we assumed Rural would understand we were talking about business use of the phone . . . that our satellite Internet is like the woman in the above case who did her business person

to person, door do door. We use satellite internet this way. It is clearly our primary business form of communication. Rural Telephone is not.

We are pointing this out because Rural changed what we said . . . their attorney stated that we use satellite Internet only for personal use and use the phone line only for business use.

Page 11
Response to Rural Telephone's
Response Order 30232
3-9-07

Therefore, we are pointing out the incorrect statement made by Rural on pages 8-9 of its Response to Order 30232, "Indeed one might fairly read that statements in the complaint to indicate that the complainants conduct all or a majority of their personal affairs using their satellite Internet access and that they rely on their land line for conducting their several business ventures -- hence the prolific use of the 208 864-2158 number in their business advertisings and directory listings."

The above statement by Rural's attorney is totally false.

One cannot accurately conclude that we do personal interactions and not business interactions via satellite. First, Rural has no evidence of such a strong claim. Secondly, many of Rural's search pages turned up either "no listing" or "we cannot find a listing."

No matter how clever a maneuver to turn the truth upside down, the truth is the truth. We use our land line primarily for personal calls (including if we need to call the sheriff or 911) and our satellite Internet mostly for business.

We never requested any business listing for 864-2158. In fact, every year Dex calls and we say the same thing, "We don't want any listing. We wanted an unlisted unpublished phone number but Rural telephone said that required an extra monthly charge." We didn't know about listings Rural quotes, such as the fallacious listings like Idaho Horse or Merchant Circle. The only listings we knew about were on our web sites. This is permissible as per PUC's ruling in Case # U1038-9 Order #18102.

Note:

This is America. We are to be presumed innocent until proven guilty. Rural has not proven we are guilty. See page 8 of Rural's Response to Order 30232. It is clear Rural has not proven primary usage or intent beyond a shadow of doubt. We firmly state that we use our phone primarily for personal use and as access to the Sheriff's office and 911, which is vital because of our remote location.

If PUC decides that our case is different that Case # U1038-9 Order # 18102 and that Rural is allowed to discriminate against us, we should be given the opportunity to take

our phone number off of our web sites. We could remove the phone number within 30 days after being notified although we would still need to pursue discrimination because it is illegal according to Idaho law, the U.S. Constitution, and PUC Rules. We have no control over any other listings on the internet that Rural is terming business listings since we never requested those listings and didn't place them on the internet.

Page 12
Response to Rural Telephone's
Response Order 30232
3-9-07

DISCRIMINATORY FORMULA IS BEING USED TO DETERMINE TYPE OF PHONE USE

Please see pages 7-8 of Rural's Response to Order 30232.

If the information sources that Rural uses when a question of proper classification is presented is not a pre-set standard (set by PUC) to determine proper classification across Idaho, this is discriminatory. One customer is treated differently than another.

Rural stated in its Response document, "These sources include, but are not necessarily limited to."

This statement says that Rural may use one method of classification with one customer but another method with another customer.

Rural does not list all of their methods it uses for classification. This adds to the potential for discrimination. Any procedure that is not the same for all customers is by nature discriminatory.

Since Rural has not standardized how it treats customers, PUC needs to do so or at least ensure that Rural can no longer discriminate.

When the Shimoda customers signed up, Rural did not provide the list of requirements it later stated (in Rural's Response document). Therefore, customers lacked complete information concerning how they would or should be classified when they signed up. Rural cannot change, nine years later, what customers were told when they signed up for service.

Even though Rural has now changed its procedures, customers across the Rural service region have not been formally notified of the change. If they had been, as customers, we would have received a mailing regarding this change.

IF RURAL'S STATEMENT IS TRUE, THE DISTINCTION BETWEEN RESIDENTIAL AND BUSINESS ACCOUNTS SHOULD BE ELIMINATED TO AVOID DISCRIMINATION

If Rural's statement is true on page 7 of its Response document, since public policy precludes monitoring and there are no technologies available to determine primary usage and that is an objective standard, the distinction between residential and small business accounts should be eliminated because there is no way not to discriminate against some customers when Rules 004.09 and 004.10 are administered.

*Page 13
Response to Rural Telephone's
Response Order 30232
3-9-07*

RURAL ISSUED A LETTER OF RECLASSIFICATION THAT VIOLATED PUC RULES

Rural's letter to Shimoda (see photo) dated 1-4-06 only states the reason for reclassification was "being used for business purposes," which is permitted under PUC Rule .09 Residential.

RURAL'S NOTICE TO DISCONNECT VIOLATED PUC RULES

When Rural threatened to disconnect Shimoda's phone (see photo) by notice, Rural broke the following rules:

- Rule 402.02 Procedure on Review
- 306.04 complaint may be filed
- 311.04 no termination while complaint pending

The fact that Rural now claims they did not know that the complaint was still pending is not our fault. Rural did not contact PUC to determine the status of the complaint until after the termination notice had been delivered and the customers complained to PUC about receiving an illegal termination notice in violation of the above Rules.

The Rural attorney made excuses on page 5 of Rural's Response to Order 30232. The attorney stated Rural believed the investigation had been fully resolved by Order 30140. If this is true, Rural had a responsibility to verify that the complaint was resolved and apparently did not check.

The company sending a disconnect notice has an obligation to first check to see if a complaint has been resolved before sending out something as serious as a termination notice.

As per Rural's own statement, they did not do this so they broke the above-cited PUC Rules. Rural should be penalized for this action.

This was an additional form of harassment. It was more retaliation for filing a formal complaint.

Page 14
Response to Rural Telephone's
Response Order 30232
3-9-07

RURAL'S TERMINATION NOTICE WAS DEFICIENT

Rural's written notice to disconnect the Shimoda account was deficient. Rural's action violated PUC Rule 306.01.02.

1.
Rural used the word "discontinued" instead of the words "intent to terminate local exchange service." This misled customers about their rights.
2.
See 306.01 The Reasons.
"The Reason(s), citing these rules, why service will be terminated and the proposed date of termination."

Rural did not cite these Rules on their written notice. It did not tell the customer in PUC-prescribed wording why service would be terminated (the reasons for the disconnect) and the date termination would happen. "Discontinued" is a different word than PUC Rules dictate, "termination."

306.02 Actions

"Actions the customer may take to avoid termination"

Rural's form only listed one action, "pay the bill." It did not tell the customer that paying the bill would prevent disconnection. In this case, there are more actions that could have been taken. These include filing a Formal Complaint with PUC, making payment arrangements (See Rule 312 and 306.06), etc. So Rural's notice was deficient.

Please see pages 5-6 of Rural's Response to Order 30232.

Note: even in Rural's Response, they used the word "terminated" instead of the word used on their notice "discontinued." Rural thereby admitted they were using the wrong word.

CONCLUSION

For the foregoing reasons, we respectfully request that the PUC find:

- Shimoda account customers acted according to the information that was provided them by Rural before signing up for phone service.

Page 15
Response to Rural Telephone's
Response Order 30232
3-9-07

- Rural discriminated against Shimoda account customers by changing their classification from residential to business on the heels of the customers filing a Formal Complaint with PUC
- Rural also discriminated against Shimoda account customers by not reclassifying every small business in Atlanta and across Rural's entire service region who uses a residential phone for business calls. In addition, even though Rural has had information for over a year about small business in Atlanta who are truly conducting businesses out of their homes (some have retail sales signs in their yard), Rural has not reclassified other accounts. As evidence, see photos emailed separately.
- Rural did not provide the Shimoda account an opportunity to "correct Rural's mistake of nine years ago."
- Rural's "termination notice" was deficient and contrary to PUC Rules in the ways detailed above.
- Rural has not proven its contention that the Shimoda account has "primary use" for business.
- Rural included pages and pages of "evidence" that supposedly proved "primary business use." However, most of the pages they provided have nothing to do with the Shimoda account. Wouldn't an objective reader wonder if the attorney was padding the Rural Response with sheer bulk because Rural has no true evidence?
- Rural cannot prove "primarily" (primary business use).
- Shimoda customers are not at fault if "Rural made a mistake nine years ago."

PLEASE NOTE:

WE RESERVE THE RIGHT TO AMEND AND PLEA FURTHER

FROM
WESTERN POWER SPORTS
5112 Canyon Rd
Dulles, VA 22021



134346-001

TO:
ATLANTA SPORTS CENTER
PO BOX 22
ATLANTA, GA 30301

U.S. POSTAGE
25¢



FROM

WESTERN POWER SPORTS
601 E. Gowen Rd
BOISE, ID 83716

1343

TO:

ATLANTA SPORTS CENTER
PO BOX 22

ATLANTA, ID 83601

FROM
WESTON POWER SPORTS
PO BOX 22
MUSKEGON MI 49716



UNITED STATES

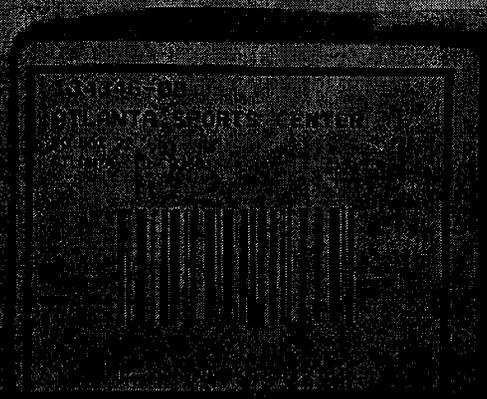
134345-001

TO:

ATLANTA SPORTS CENTER
PO BOX 22

ATLANTA MI 48001

DELIVERY
POINT



FROM

WESTERN POWER SPORTS
601 E. Gowen Rd
BOISE, ID 83716

1343

TO:

ATLANTA SPORTS CENTER
PO BOX 22

ATLANTA, ID 83601



BOISE

JAN-4-09

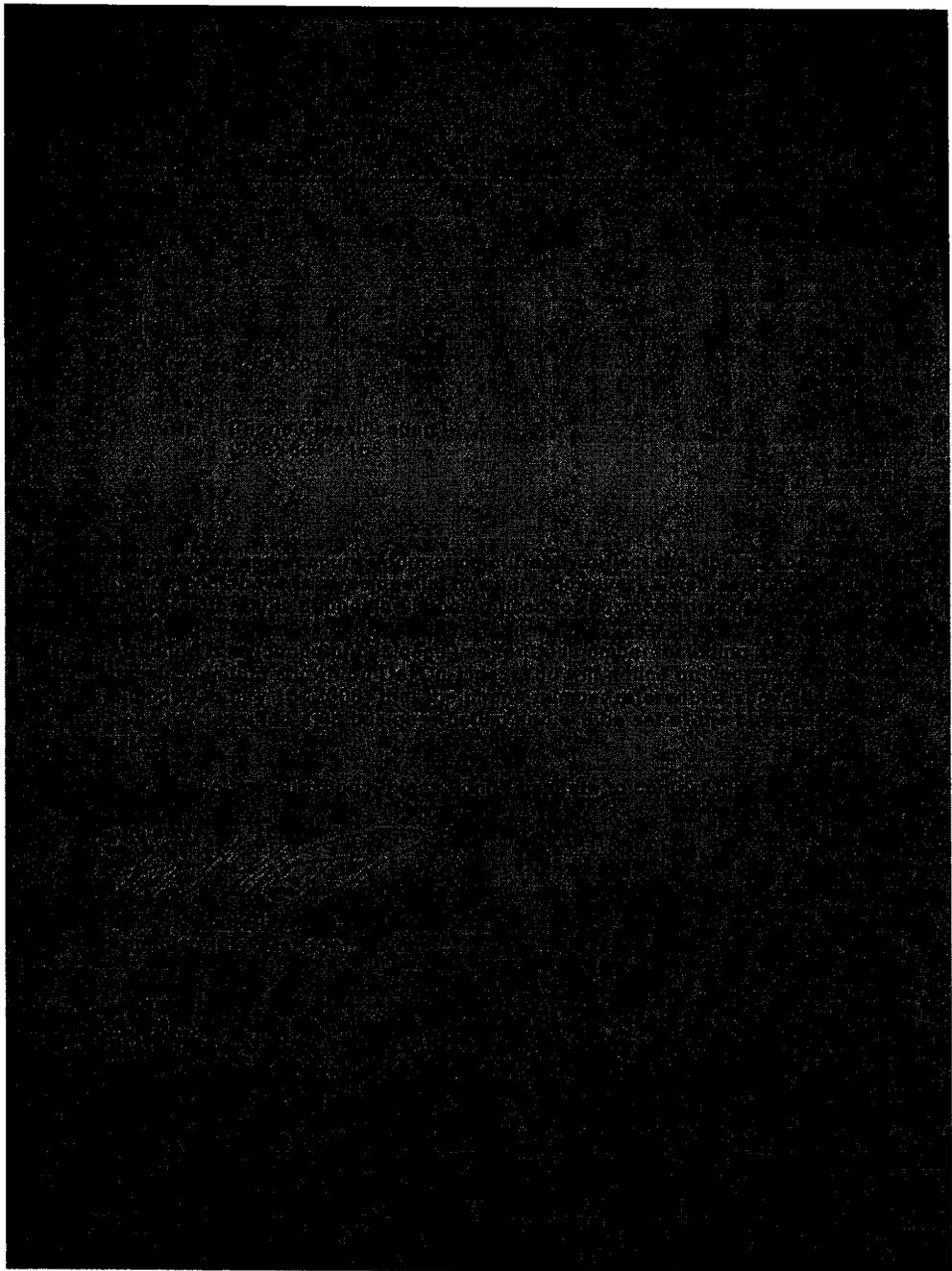
1D

469

U.S. POSTAGE

POSTER
8475013

134346-001



10/15/2006 10:56 AM

Dear Sir,

Our records and account information currently reflect that the phone number above is a residential number. However, it is possible that this phone line is being used for business purposes.

We have no evidence of business use for this number in the past. This listing is shown on DexOn-Line. You will notice on DexOn-Line (last 15, 2006) that the phone number (1234567890) is listed as a business listing and will be used for business purposes.

If you have any questions, please don't hesitate to contact us.



RURAL
TELEPHONE COMPANY

892 W. MADISON AVENUE
GLENN'S FERRY, IDAHO 83623
(208) 366-2614 • FAX (208) 366-2613

January 4, 2006

Bill Uhl
PO Box 32
Atlanta, Idaho 83601

RE: Phone Classification
(208) 864-2158

TELEPHONE PAYMENT IS LATE

SERVICE WILL BE DISCONTINUED ON

11/29/2006

LINE	NO DAYS OVERDUE	TOTAL
02	42.13	197.89

11/09/06

ACCORDING TO OUR RECORDS, WE HAVE NOT RECEIVED PAYMENT ON YOUR ACCOUNT.

