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Attorney for Petitioners/Appellants

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**ORIGINAL**  
2004 AUG 17 PM 2: 57  
IDAHO PUBLIC  
UTILITIES COMMISSION

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF THE JOINT )  
PETITION OF ROBERT RYDER, d/b/a )  
RADIO PAGING SERVICE, JOSEPH B. )  
MCNEAL, d/b/a PAGEDATA AND )  
INTERPAGE OF IDAHO, AND )  
TEL-CAR, INC., FOR DECLARATORY )  
ORDER AND RECOVERY OF )  
OVERCHARGES FROM U.S. WEST )  
COMMUNICATIONS INC., )  
\_\_\_\_\_ )

Supreme Court Docket No. 29175

IPUC Docket No. T-99-24

ROBERT RYDER, d/b/a RADIO )  
PAGING SERVICE, et al., )

**AFFIDAVIT OF JOSEPH B. MCNEAL**

Petitioners/Appellants, )

vs. )

IDAHO PUBLIC UTILITIES )  
COMMISSION, )

Respondent on Appeal, )

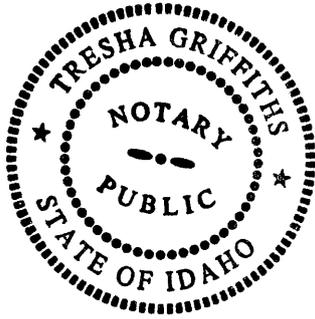
and )

QWEST CORPORATION, )

Respondent/Respondent on )  
Appeal. )  
\_\_\_\_\_ )



SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of August, 2004.



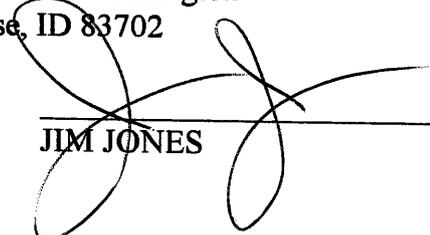
Tresha Griffiths  
NOTARY PUBLIC FOR IDAHO  
Residing at: Mendon, ID  
My Commission Expires: 6/15/06

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this / 7<sup>TH</sup> day of August, 2004, I caused to be served a true and correct copy of the foregoing **AFFIDAVIT OF JOSEPH B. MCNEAL** by depositing the same in the United States mail, postage prepaid, in an envelope addressed to the following:

**WILLIAM J. BATT**  
Marshall, Batt & Fisher  
P.O. Box 1308  
Boise, ID 83701

**DON HOWELL**  
Idaho Public Utilities Commission  
472 West Washington  
Boise, ID 83702

  
\_\_\_\_\_  
**JIM JONES**

**CALCULATION OF PAGEDATA ACCOUNT BALANCES WITH QWEST  
August 15, 2004**

**PageData's Account Balances with Qwest at Time Period of Single POI Request  
(September 1998)**

| <b>Account</b>      | <b>Bill Date</b> | <b>Balance Forward</b> | <b>Current Charges</b> | <b>Total Due</b>   |
|---------------------|------------------|------------------------|------------------------|--------------------|
| L-208-111-1770-117M | 09/25/98         | \$10,000.77            | \$5,092.81             | \$15,093.58        |
| L-208-111-1771-771M | 09/01/98         | \$617.34               | \$726.29               | \$1,343.63         |
| L-208-111-1769-769M | 09/16/98         | \$697.00               | \$697.00               | \$1,394.00         |
| L-208-356-5271-797M | 09/01/98         | \$196.50               | \$121.00               | \$317.50           |
| 208 R55-2312 312    | 10/20/98         | \$0.00                 | \$420.92               | \$420.92           |
| 208 R51-0454 454    | 09/10/98         | \$0.00                 | \$1,462.78             | \$1,462.78         |
| L-208-336-4203-698M | 09/01/98         | \$121.00               | \$113.50               | \$234.50           |
| 208-373-9000-260B   | 09/04/98         | \$4,369.48             | (\$2,017.37)           | \$2,352.11         |
| 208-642-8000-188B   | 09/28/98         | \$0.00                 | (\$932.78)             | (\$932.78)         |
| <b>TOTAL</b>        |                  | <b>\$16,002.09</b>     | <b>\$5,684.15</b>      | <b>\$21,686.24</b> |

**Credit Amount Converting from Retail (Sm Bus Group) to Carrier Svcs** **(\$87,388.76)**  
(See Qwest letter dated November 25, 1998)

**Credit Amount Ordered by Idaho PUC** **(\$101,950.00)**

When PageData requested a Single POI in September 1998, it was Qwest policy not to install a Single POI for companies they considered paging only. It was Qwest policy that paging carriers had to establish a POI in each of Qwest's local calling areas in the LATA. This unlawful policy caused paging carriers to have unnecessary facilities to deliver Qwest traffic in the LATA. Qwest has since changed their company policy to comply with the 1996 Telecommunications Act, the TSR Order and the FCC July 17, 2002 WorldCom Order. After PageData's September 1998 formal request for a single POI Qwest was obligated to convert PageData's facilities to a SPOP, with no recurring charges because Qwest has not provided any originating data for the transit charges. The originating carrier is responsible for paying the terminating carrier.

# **CONFIDENTIAL ATTACHMENTS**