

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Prehearing Conference
8 April 30, 2007
9 Jefferson City, Missouri
Volume 1

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12 Christiane Rossetti,)
)
13 Complainant,)
)
14 v.) Case No. IC-2007-0274
)
15 CenturyTel of Missouri, LLC,)
)
16 Respondent.)

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19 HAROLD STEARLEY, Presiding,

REGULATORY LAW JUDGE

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22 REPORTED BY:

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13 Service Commission.

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1 P R O C E E D I N G S

2 JUDGE STEARLEY: All right. Good morning.
3 Today is Monday, April 30th, 2007, and we are here for a
4 prehearing conference in Case No. IC-2007-0274, Christiane
5 Rossetti, Complainant vs. CenturyTel of Missouri, LLC,
6 Respondent.

7 My name is Harold Stearley. I'm the
8 Regulatory Law Judge presiding over this prehearing,
9 substituting for Judge Dippell who is absent today. The
10 court reporter this morning is Kellene Feddersen. We'll
11 now take entries of appearance, beginning with Staff of
12 the Missouri Public Service Commission.

13 MR. HAAS: Good morning. My name is
14 William Haas. I represent the Staff of the Public Service
15 Commission. My address is Post Office Box 360, Jefferson
16 City, Missouri 65102.

17 JUDGE STEARLEY: Centurytel of Missouri?

18 MR. DORITY: Good morning, your Honor.
19 Appearing on behalf of Respondent CenturyTel of Missouri,
20 LLC, Larry W. DORITY with the firm Fischer & DORITY, PC.
21 Our address is 101 Madison, Suite 400, Jefferson City,
22 Missouri 65101. Also with me this morning is Arthur
23 Martinez, the Director of Government Relations for
24 CenturyTel.

25 And, your Honor, if it's all right, I would

1 like to indicate on the record that Michael Dandino,
2 Deputy Public Counsel, is planning on appearing here this
3 morning. I think he has been working with Ms. Rossetti
4 regarding this matter. He got into a traffic delay
5 situation, but should be arriving shortly and would like
6 to participate this morning as well.

7 JUDGE STEARLEY: We'll reflect his entry of
8 appearance through you, Mr. Dority. Thank you for that.

9 Christiane Rossetti, if you'd please enter
10 your appearance for the Public Service Commission.

11 MS. ROSSETTI: Yes. My name is Christiane
12 Rossetti. I live at 602 Chestnut Street in Thayer,
13 Missouri, and I'm the Complainant in this case.

14 JUDGE STEARLEY: Thank you, Ms. Rossetti.
15 It's my understanding at this point in time CenturyTel is
16 going to provide service for Ms. Rossetti. Is that --

17 MR. DORITY: That's correct, your Honor.
18 In our response to the Staff report, we had indicated that
19 we would indeed be offering to provide service to
20 Ms. Rossetti. At that point in time we were looking at
21 also having the service being provided subject to the
22 normal deposit requirements.

23 We have attempted to contact Ms. Rossetti.
24 Ms. Rossetti, I'll give you a chance to respond here.
25 It's my understanding that our person has left messages

1 for Ms. Rossetti regarding this matter. I think we had
2 originally used the telephone number that was reflected on
3 the original complaint, and since we received
4 Ms. Rossetti's correspondence that was filed on
5 April 23rd, that reflected a different telephone number,
6 and we have tried to make contact through that number as
7 well.

8 The individual on behalf of CenturyTel that
9 has been trying to make those contacts is Sally McConnell.
10 I'm assuming, Ms. Rossetti, that you would have received
11 some voicemail messages to that effect.

12 But be that as it may, it's my
13 understanding that we've not had luck in getting in direct
14 contact with Ms. Rossetti. But on the record I would
15 confirm this morning that we are certainly willing to
16 provide service to Ms. Rossetti, and, in fact, we would be
17 willing to waive any deposit requirements that might
18 otherwise be required. So that's the status from our
19 standpoint, your Honor.

20 JUDGE STEARLEY: And, Ms. Rossetti, were
21 you able to hear that all right?

22 MS. ROSSETTI: Yes, I did. Thank you.

23 JUDGE STEARLEY: And if CenturyTel provides
24 you service, will that resolve your complaint or are there
25 other issues that need to be addressed?

1 MS. ROSSETTI: Well, I wish they had
2 contacted me sooner. I was hoping to resolve it. But
3 what happened was I, you know, I received from the Public
4 Service Commission their response about providing service,
5 but no one contacted me right away. And I don't know when
6 they decided to go ahead and contact me, but on the 16th
7 of March I changed my telephone number.

8 Now, the reason for that is because I have
9 merchandise to sell. I haven't been able to put up an
10 eBay store. So, you know, I wanted to get business cards.
11 I'm having problems with my marketing with the far-away,
12 distant, out-of-city phone number.

13 So I changed my phone number. And I know
14 they have my address, and they also have the telephone
15 number of the woman I rent from, and they have the
16 telephone number of the Office of Public Counsel, but I
17 didn't receive any messages from them. I thought, you
18 know, they could leave me a message or send me a letter.

19 But I had to get going with my life. I had
20 business cards printed because I didn't think that they
21 would actually provide the service because they didn't
22 contact me right away and they never sent me a letter.

23 So what I did was, and I think it wasn't
24 really until the beginning of the week before last or
25 maybe even last week, I actually drove 100 miles

1 distributing these business cards with my cell phone
2 number on them, and Sally McConnell didn't call me until
3 the end of last week.

4 And so I spoke with Mr. Voight and we
5 decided to just wait for the hearing because, you know,
6 now I purchased business cards, I've driven 100 miles.
7 You know, because they didn't bother to contact me, I
8 thought that their offer -- I didn't really think that
9 their offer was serious.

10 JUDGE STEARLEY: Okay. Well --

11 MR. DORITY: If I may respond, Judge?

12 JUDGE STEARLEY: Yes.

13 MR. DORITY: Ms. Rossetti, the pleading
14 that we filed where we indicated that we would --

15 MS. ROSSETTI: Can you start that again?
16 There was a loud screech and I didn't hear you.

17 MR. DORITY: Sure. This is Larry DORITY,
18 the attorney for CenturyTel. I was just going to let you
19 know that the pleading that we filed where we indicated we
20 would, in fact, be providing service, and I think you
21 should have received that by first class mail, that was
22 filed on March 26th, and I understood you to just say that
23 you had actually changed your telephone number on
24 March 16th. I'm sorry. We weren't aware of that.

25 MS. ROSSETTI: Wasn't that filed

1 March 14th? I thought I got a letter March 14th about
2 that.

3 MR. DORITY: Our actual pleading was filed
4 the 26th. I think the Staff pleading might have been
5 filed March 14th. I'm not sure. But be that as it may,
6 we tried to contact you using the telephone number that
7 was on the original complaint, and I think what I'm
8 hearing you say is that at that point in time you had
9 already changed your phone number.

10 Ms. McConnell had left numerous messages.
11 And then when we got your letter that I believe was filed
12 on the 23rd of April, that reflected a new telephone
13 number, and that's when Ms. McConnell started trying to
14 contact you using that number. And I guess what I'm
15 hearing you say is that she was actually able to contact
16 you then using this new telephone number.

17 And we just -- we were using the
18 information that we had available to us at the time. I'm
19 sorry we didn't -- we were not able to reach you, but we
20 certainly did -- we certainly did try. And as I
21 indicated, you know, we're prepared to offer service and
22 waive the deposit if that would still be of interest to
23 you.

24 JUDGE STEARLEY: All right. At this point,
25 Ms. Rossetti, you don't have to say affirmatively right

1 now on the record if that's going to resolve your
2 complaint. I can -- like I say, normally in our
3 prehearings I'll be leaving, we'll go off the record and
4 we'll give the parties an opportunity to further discuss
5 their case. So we can go to that phase of this if that's
6 where you are ready to move to.

7 MS. ROSSETTI: Yes, sir, I am.

8 JUDGE STEARLEY: Okay. At this point we
9 have not ordered a procedural schedule to be filed in this
10 case because we're not sure that we need to have a hearing
11 because you-all may be able to resolve this complaint.
12 But what I would ask the parties to do would be to file a
13 status report with the Commission a week from today,
14 Monday, May 7th, just to let us know where we're at.

15 MS. ROSSETTI: Okay.

16 JUDGE STEARLEY: And Staff can file that
17 status report. It won't be something that you have to
18 file, Ms. Rossetti.

19 MS. ROSSETTI: Okay.

20 JUDGE STEARLEY: Are there any other
21 matters we need to take up at this point on the
22 on-the-record portion?

23 MR. DORITY: Not on the record, to my
24 knowledge, Judge.

25 JUDGE STEARLEY: All right. Very well. We

1 will go off the record at this time and I'll leave you-all
2 to your discussions.

3 WHEREUPON, the recorded portion of the
4 prehearing conference was concluded.

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1 C E R T I F I C A T E

2 STATE OF MISSOURI)
3) ss.
4 COUNTY OF COLE)

5 I, Kellene K. Feddersen, Certified
6 Shorthand Reporter with the firm of Midwest Litigation
7 Services, and Notary Public within and for the State of
8 Missouri, do hereby certify that I was personally present
9 at the proceedings had in the above-entitled cause at the
10 time and place set forth in the caption sheet thereof;
11 that I then and there took down in Stenotype the
12 proceedings had; and that the foregoing is a full, true
13 and correct transcript of such Stenotype notes so made at
14 such time and place.

15 Given at my office in the City of
16 Jefferson, County of Cole, State of Missouri.

17 Kellene K. Feddersen, RPR, CSR, CCR
18 Notary Public (County of Cole)
19 My commission expires March 28, 2009.
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