

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

MARIA V. PERRON,)	
)	
Complaint,)	Case No. TC-2004-0492
)	
vs.)	
)	
MCI,)	
)	
Respondent.)	

ANSWER AND MOTION TO DISMISS

COMES NOW Defendant MCI pursuant to 4 CSR 240-2.070 and moves the Commission to dismiss the above-styled proceeding as moot, because in an effort to end this matter, MCI removed the disputed charges from Maria V. Perron's account. A copy of MCI's letter to Maria Perron dated April 16, 2004 is attached hereto as Exhibit 1 and a copy of MCI's letter to the Commission dated April 20, 2004, regarding same is attached hereto as Exhibit 2. As its Answer, MCI denies the allegations of the Complaint and incorporates by reference Exhibit 1.

WHEREFORE, MCI hereby requests that the Commission issue its order dismissing the above-styled proceeding as moot.

CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.

/s/ Carl J. Lumley

Carl J. Lumley, #32869
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
(314) 725-8788
(314) 725-8789 (FAX)

Attorney for Respondent MCI

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing document was mailed this 26th day of April, 2004,
by placing same in the U.S. Mail postage paid to:

Maria V. Perron
The Perron Law Firm
275 North Lindbergh Blvd.
St. Louis, Missouri 63141-7809

/s/ Carl J. Lumley

EXHIBIT 1

April 16, 2004

Maria Perron
11635 Clayton Road
St. Louis, MO 63131-2507

RE: 314-993-2563

Dear Mrs. Perron,

This letter is in response to your recent complaint of March 26, 2004, filed with the Missouri Public Service Commission regarding a billing dispute with MCI.

Your letter to the Commission explains that you changed the local and long distance service for your residential account to MCI in late January 2004, but you did not receive MCI VoiceMail and other services as requested. You state that you do not feel obligated to pay for the MCI-billed service.

As stated in my previous response, MCI's records show that the January 16, 2004, MCI order for telephone number 314-993-2563 included local, local toll, long distance, Three-Way Calling, Call Waiting, Caller ID w/Name and Number and Call Waiting ID. MCI VoiceMail was not requested on this order. Although you contacted MCI on January 22, 2004, to request the addition of MCI VoiceMail, you failed to stay on the line long enough for MCI to submit the necessary order to add MCI VoiceMail to the account. On February 2, 2004, you again called MCI Customer Service, and the necessary order to add MCI VoiceMail to the account was submitted. The order for MCI VoiceMail completed on February 3, 2004.

During this timeframe MCI records do not indicate that you, or anyone representing you, informed MCI that any features or services other than MCI VoiceMail were not working or that there was any loss of service. According to MCI's records, long distance and local service with the features included on the January 16, 2004 order were fully operational on January 20, 2004. The disputed remaining balance on account 5CV62705 represents charges for the services provided by MCI from January 20, 2004 through February 6, 2004.

On April 14, 2004, MCI removed the entire disputed balance (\$99.24) on account 5CV62705 for telephone number 314-993-2563, in an effort to bring this matter to end. As a result of this action, the account balance for 5CV62705 has been reduced to \$0.00.

If I may be of further assistance please contact me at 1-800-624-0533.

Sincerely,

Lynn A. Williams
MCI Agency Relations

Cc: Tracey Leonberger – Missouri Public Service Commission
Pat Escobedo - MCI Law and Public Policy

EXHIBIT 2

April 20, 2004

Judge Dale Hardy Roberts
Secretary/Chief Regulatory Judge
Missouri Public Service Commission
P.O. Box 60
Jefferson City, MO 65102

RE: Case No. TC-2004-0492, Maria V. Perron v. MCI

Dear Judge Roberts:

MCI responds to the April 1, 2004, Notice of Complaint regarding the complaint filed by Maria V. Perron with the Missouri Public Service Commission on March 29, 2004, against MCI.

MCI has reviewed Ms. Perron's complaint and has determined that the disputed \$99.24 balance on Ms. Perron's account, 5CV62705, represents charges for those services ordered by Ms. Perron and provided by MCI from January 20, 2004 through February 6, 2004. In an effort to bring this matter to end, MCI has removed the entire disputed balance and reduced the account balance to \$0.00. A copy of the letter notifying Ms. Perron of MCI's action is enclosed.

MCI considers Ms. Perron's complaint resolved. If MCI needs to take any additional action, MCI would appreciate your guidance on the next necessary step.

Please call me at (512)495-6836 if I can answer any questions or provide any additional information.

Sincerely,

Patricia Ana Garcia Escobedo
Associate Counsel

Enclosure

cc: Ms. Tracy Leonberger, Consumer Services Specialist II