



**GTE Service
Corporation**

601 Monroe Street
Suite 304
Jefferson City, MO 65101
Fax: 573 636-6826

June 22, 2000

FILED

JUN 22 2000

Mr. Dale Hardy Roberts
Secretary/Chief Administrative Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Missouri Public
Service Commission

Subject: TC-2000-767 - Stone County Emergency Services vs. GTE Midwest Inc.
and Southwestern Bell Telephone

Dear Mr. Roberts:

Enclosed are an original and 8 copies of GTE Midwest Incorporated's Answer,
Motion to Dismiss and Alternative Request for Mediation in Case TC-2000-767.

Sincerely,

Tracy Pagliara

TP:gl
Enclosures

c: Service List

FILED

BEFORE THE PUBLIC SERVICE COMMISSION
FOR THE STATE OF MISSOURI

JUN 22 2000

Missouri Public
Service Commission

Stone County Emergency Services,)
)
Complainant,)
)
v.)
)
GTE Midwest Incorporated and)
Southwestern Bell Telephone Company,)
)
Respondents.)

Case No.: TC-2000-767

GTE MIDWEST INCORPORATED'S
ANSWER, MOTION TO DISMISS AND
ALTERNATIVE REQUEST FOR MEDIATION

GTE Midwest Incorporated ("GTE"), responding to the Complaint brought by Stone County Emergency Services ("Complainant"), submits the following Answer, Motion to Dismiss and, in the Alternative, Request for Mediation, and in support thereof states:

Answer

1. GTE admits that Stone County Emergency Services is located at 105 StoneBridge Parkway, Reeds Spring, Missouri 65737. However, GTE lacks sufficient knowledge or information upon which to form a belief as to whether Stone County Emergency Services is a duly constituted political subdivision located in Stone County, Missouri, and, therefore, denies this allegation.

2. GTE admits the allegations in paragraph 1 of the Complaint.

3. With respect to the allegations in paragraph 2(a) of the Complaint relating to GTE, GTE has resolved all issues relating to the 911 database to the satisfaction of Complainant, as set forth in correspondence between GTE and Complainant dated May 23, 2000, June 5, 2000 and June 15, 2000, and therefore denies this allegation. True and correct copies of that

correspondence are attached to this Answer as Exhibits A, B and C, respectively, and are incorporated herein by reference.

4. With respect to the allegations in paragraph 2(b) of the Complaint relating to GTE, GTE admits that it has found isolated instances in which tax codes were improperly entered on customer records, causing customers to be improperly charged a 911 surcharge. GTE is working with customers on a case-by-case basis to resolve this issue by giving such customers a full refund in the form of a credit appearing on the customer's bill. GTE expects to accomplish a full resolution of all such issues shortly.

5. With respect to the allegations in paragraph 2(c) of the Complaint relating to GTE, GTE has resolved all issues relating to the 911 database to the satisfaction of Complainant, and therefore denies these allegations. *See Exhibits A, B and C.*

6. With respect to the allegations in paragraph 2(d) of the Complaint relating to GTE, GTE has resolved all issues relating to the 911 database to the satisfaction of Complainant, and therefore denies these allegations. *See Exhibits A, B and C.*

7. With respect to the allegations in paragraph 3 of the Complaint relating to GTE, GTE has resolved all issues relating to the 911 database to the satisfaction of Complainant, and therefore denies these allegations. *See Exhibits A, B and C.* GTE lacks sufficient knowledge or information upon which to form a belief as to these allegations as they relate to Southwestern Bell Telephone Company ("SWBT"), and therefore denies the allegations.

Motion to Dismiss and, in the Alternative,
Request for Mediation

1. GTE has been working diligently with Complainant to resolve all of the issues that are the subject of this Complaint. Pursuant to communications between Malcolm Vedane, Executive Director of Stone County Emergency Services, and GTE,

and correspondence between the parties attached as Exhibits A, B and C, GTE believes that it has fully resolved the issues raised in paragraph 2(a), (c) and (d) of the Complaint to the satisfaction of Complainant. Accordingly, GTE moves to dismiss these allegations on the basis that they have been resolved.

2. GTE is currently working with customers to resolve any outstanding tax collection issues related to the allegations in paragraph 2(b) of the Complaint, and expects those issues to be fully resolved shortly.


3. If the Complaint is not dismissed, as an alternative to litigation of outstanding issues through the Commission's formal complaint process, GTE requests that any such outstanding issues, including tax collection issues, be referred to mediation. GTE believes that mediation would be in the parties' interests due to considerations of cost and efficiency.

WHEREFORE, having fully answered the Complaint, GTE prays that this Commission dismiss this Complaint, award respondent GTE its costs, expenses, and attorney's fees in responding to this Complaint, refer any outstanding issues to mediation, and grant such other relief as the Commission deems just and proper.

Respectfully submitted,

GTE MIDWEST INCORPORATED

By:



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ATTORNEY FOR GTE MIDWEST INCORPORATED

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by first-class, postage prepaid, U.S. Mail on June 22, 2000.

A handwritten signature in black ink, reading "Tracy D. Pagliara" followed by a stylized flourish.

Tracy D. Pagliara

DAN JOYCE
MISSOURI PUBLIC SERVICE COMMISSION
301 W. HIGH STREET, SUITE 530
JEFFERSON CITY, MO 65101

MICHAEL F. DANDINO
OFFICE OF THE PUBLIC COUNSEL
301 W. HIGH STREET, SUITE 250
JEFFERSON CITY, MO 65101

MARK RUNDEL
PO BOX 206
GALENA, MO 65656



GTE Network Services

May 23, 2000

1000 GTE Drive
P.O. Box 307
Wentzville, MO 63385

Malcom L. Vedane, Executive Director
Stone County Emergency Services
105 Stone Bridge Parkway
Reeds Springs, Missouri 65737

Dear Malcom,

I would like to review the issues that were discussed when we spoke on May 17, 2000. I appreciate your statements now that GTE has come through for you and you are pleased with our efforts.

Greg Taylor from GTE's California Database reviewed the remaining telephone records of customers that the GTE representatives have attempted to contact on numerous occasions. A total of approximately 5,500 telephone numbers were sent to GTE without the Stone County assigned (911 physical) addresses. When speaking with you it was determined, that Stone County did not have the funds or the resources to resolve this group of numbers. While our contract does not list this activity as GTE's responsibility, GTE agreed to assist the County anyway since not doing the work was not a reasonable alternative. GTE's Team then began working on a plan to assist you and your staff, as well as the citizens of Stone County.

Below are the steps that we are prepared to take. I will need your signature/acknowledgement that this is satisfactory with your team and that upon the conclusion of these steps you will be satisfied that this completes GTE's work on the project.

1. Greg Taylor (GTE Database) will forward the un-resolved customer telephone numbers back to Leetta.
2. Leetta will do a final sweep (review) of these records and will either:
 - a) Provide a new address to GTE or
 - b) Instruct GTE to change the customers street name to "ADDRESS UNAVAILABLE" and mail a registered-return letter*** to the subscriber.

*** Stone County will formulate a letter to these customers, as the letter will be from Stone County. GTE will address and mail the letters.

- 3) The "return receipt" portion of the letter will come to GTE. GTE will in turn provide a copy to the "return receipt" to the County; the original will remain on file in the Database Center. This letter will instruct the subscriber to contact the County for a resolution.

Exhibit A
Case: TC-2000-767
GTE



GTE Network Services

1000 GTE Drive
P.O. Box 307
Wentzville, MO 63385

4) GTE will take no further action on the "ADDRESS UNAVAILABLE" accounts until we receive a new address for these accounts's from either the County or the subscriber.

The GTE team has been responsive to Stone County in resolving all outstanding issues. While you had earlier expressed frustration with the progress in this matter, we appreciate your expressed satisfaction now in the support GTE has given you beyond what the contract even required. I am pleased that all the issues you had raised questioning cooperation from GTE have now all been resolved.

I continue to enjoy our working relationship and certainly look forward to working with you and your outstanding staff in the future.

Sincerely,

Debra Poleos
Project Manager E911

I concur:

see letter of June 5 Vedane to Poleos

Malcom Vedane, Director

Exhibit A
Case: TC-2000-767
GTE

STONE COUNTY EMERGENCY SERVICES

105 StoneBridge Pkwy
Branson West, MO 65737

June 5, 2000

Debra Poleos
Project Manager E911
1000 GTE Drive
Wentzville, MO 63385

Dear Deb:

This responds to your letter of May 23, 2000. Please forgive the delay, as it became "lost" for a time in my files.

Our response to the first two paragraphs is yes. We agree GTE is making progress rectifying the database and allowing our joint customers to enjoy fully enhanced E911 service. Now after some 76 days of operation approximately 24% of Stone County taxpayer (GTE/SWB) users still do not enjoy full E911 service.

Your recommended steps (1 to 4) are a welcome commitment on your company's part. We are truly grateful. We remain anxious to see the results. We are optimistic a level of 97% or above will be reached by early fall 2000.

We commend GTE for their response to this public safety/tariff issue. No formal letter is complete with out mentioning our gratitude to you, Greg Taylor, Craig Anderson, Ed Weise and numerous others for their efforts.

On behalf of the SCES Board of Directors and personally we regret the difficult hours and stress this project has caused. It always follows that the innocent clean up behind others. None of the present GTE team or the SCES team caused this tax collection/county line dilemma. We need for all to understand the damage years of incorrect taxation has caused. This to is being resolved because of your courage and commitment to "customer service" and public safety.

There is reward for quality service and it makes it all worthwhile. It behooves us all to never forget that our reward comes later. The reward is received after death and may God help those who try to collect early.

We are smiling sincere.



Malcom L. Vedane
Executive Director

Exhibit B
Case: TC-2000-676
GTE

STONE COUNTY EMERGENCY SERVICES

105 StoneBridge Pkwy
Branson West, MO 65737

Date: June 15, 2000


To: Debra Poleos
Project Management
GTE Network Services
1000 GTE Dr Bldg A
Wentzville, MO 63385

Dear Deb:

It is our understanding GTE will not have an obligation to continue pursuing valid 911 addresses following the mailing of certified letters for some 4600 Stone County GTE telephone customers. We appreciate you and the staff of GTE for this undertaking.

It is our intent to post public notice of all those not responding. The posting will imply they assume responsibility for not having the benefit of Ali (automatic location identification).

Sincerely,



Malcom L. Vedane
Executive Director

cc

Exhibit C
Case: TC-2000-767
GTE