

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

JUL 28 2000

Missouri Public
Service Commission

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

Case No.: TC-2000-767

**COMPLAINANT'S RESPONSE TO GTE'S MOTION FOR RECONSIDERATION AND
REQUEST FOR STAFF INVESTIGATION**

COMES NOW, Complainant, Stone County Emergency Services, by and through its attorneys, Gibbs Law Office, P.C., and respectfully offers to this Commission its response to GTE's Motion for Reconsideration of its Motion to Dismiss and Request for Staff Investigation. For its cause, Complaint respectfully states to this Commission as follows:

1. In its Complaint, Stone County Emergency Services alleges no fewer than four (4) failings of GTE, these are as follows:

- a. GTE fails to provide 911 services to certain customers of GTE in Stone County, Missouri;
- b. GTE has erroneously collected taxes for 911 services for other counties from citizens who reside in Stone County;
- c. GTE fails to deliver enhanced 911 service to Stone County; and
- d. GTE refuses to correct its respective database.

2. In its Motion to Dismiss, GTE alleges it has "fully resolved the issues raised in paragraph 2a, c, and d of the Complaint to the satisfaction of the Complainant." In support thereof,

GTE attaches Exhibits A, B, and C to its Motion.

3. These issues are not resolved to the satisfaction of Complainant.

4. In no Exhibit does Stone County Emergency Services acknowledge the satisfaction of these or any issues between itself and GTE. As articulated in Exhibit B, approximately twenty-four (24%) percent of Stone County taxpayer (GTE/SWB) users still do not enjoy full E-911 service. Stone County recognizes in Exhibit B, GTE has made progress with respect to the database, but nowhere therein does it state, nor is it the position of Stone County Emergency Services, that GTE is in compliance with its obligations.

5. As Exhibit A describes, there are approximately Five Thousand, Five Hundred (5,500) telephone numbers of GTE in Stone County without an assigned 911 physical address. Stone County Emergency Services remains without physical addresses for approximately 5,500 telephone numbers. By no means is this issue resolved to the satisfaction of Complainant.

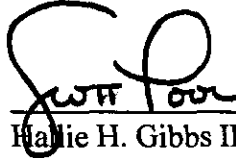
6. Exhibit A attempted to address the issues of the Complaint and have the Executive Director of Complainant sign off on the same. But, as page two of the Exhibit indicates, the Executive Director refused to sign the same, indicating these issues and allegations of the Complainant have not been "fully resolved" to the satisfaction of Complainant.

7. As it relates to GTE's request for a staff investigation, Stone County Emergency Services submits to this Commission nothing has changed with respect to the underlying 911 services not being provided to many of its residents, which precipitated the need for this Complaint. As such, Complainant respectfully requests the opportunity to proceed with the formal Complaint process.

WHEREFORE, Complainant respectfully requests this Commission overrule and deny GTE's submitted Motion to Dismiss, and respectfully requests it deny GTE's request for a staff investigation and for any and all further relief this Commission may deem just and proper under the circumstances.

Respectfully submitted,

GIBBS LAW OFFICE, P.C.

A handwritten signature in black ink, appearing to read "Scott R. Pool", is written over a horizontal line.

Hallie H. Gibbs II, #34655

Scott R. Pool, #42484

P.O. Box 1088

314 Monroe Street

Jefferson City, Missouri 65102-1088

Tel: (573)636-2614

Fax: (573)636-6541

Attorneys for Complainant.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing document by mailing and faxing a true copy thereof on this 28th Day of July, 2000, to the following:


Ms. Tracy D. Pagliara
601 Monroe Street, Suite 304
Jefferson City, Missouri 65101

Ms. Mimi B. MacDonald
One Bell Center, Room 3510
St. Louis, Missouri 63101

Mr. Michael F. Dandino
Office of the Public Counsel
301 West High Street
P.O. Box 7800
Jefferson City, Missouri 65102

Dana Joyce
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Mr. Mark Rundel
Stone County Emergency Services
P.O. Box 206
Galena, Missouri 65656



Scott R. Pool