



## CUPPLES DATA SYSTEMS

A Division of Cupples Enterprises, Inc

"Specializing in Information Technology Solutions"

Thursday, July 22, 1999

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge of the Commission  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

TC-2000-56

Mr. Roberts:

Please find enclosed my formal complaint against Southwestern Bell Telephone Company. I have enclosed the original and 14 copies as instructed by Tracy Leonberger, Consumer Services Specialist. Please advise forthwith of its disposition.

Thanks,

Tom Cupples

FILED

JUL 26 1999

Missouri Public  
Service Commission

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Missouri Public  
Service Commission

vs.

) Case No. TC 2000-56

## COMPLAINT

1. Respondent, Southwestern Bell Telephone of Saint Louis, Missouri, is a publicly held utility under jurisdiction of the Public Service Commission of the State of Missouri.
2. As the basis of this complaint, complainant states the following facts.
  - a. On January 16, 1999, Complainant transferred service from 2266 High Land Hill, Saint Peters, Missouri 63376 to 2111 Sutters Mill Road, Saint Peters, Missouri 63376. Telephone numbers were to remain the same.
  - b. The Account Number of the previous address was 314-939-2446-627-2 and the Account Number of the new address was 314-939-2446-058-0. Complainant paid all bills to this point by automatic bill payment via a personal account.
  - c. Per Respondent records, billing for the new address began on January 16, 1999; and billing for the old address ended on March 12, 1999; producing a double billing for the period of January 16, 1999 to March 12, 1999.
  - d. Numerous telephone contacts were made by Complainant to respondent to request correction.
  - e. Subsequent to a telephone contact initiated by Complainant, a representative of the Respondent acknowledged error in billing and agreed to initiate credits.
  - f. During the March 1999 billing cycle an attempt was made by Order#F803058 and Order#F803418 to make credits. Unfortunately, some of these credits were entered as charges rather than credits resulting in further errors in billing by the Respondent.
  - g. Additionally, after assurances by Respondent's representative that automatic bill pay would be cancelled and no money removed from Complainant's account, such money was erroneously taken from Complainant's account in the sum of \$239.42; such error caused multiple overdraft fees to be charged to the Complainant's account by the bank.
  - h. Upon delivery of a letter from Respondent by Complainant to Complainant's bank, the bank credited the \$239.42 and all overdraft fees.
  - i. Subsequent to this action, Respondent notified Complainant in accusation of a returned check and a charge of \$25.00 with a threat for disconnection of service. Such charge was charge to the current account. An additional charge of \$239.42 was charged to the same

account for the credit that the bank had made. This was a total of 3 (three) charges of \$239.42 to the account in error.

- j. In June, 1999 a check written for \$144.50 by Complainant for the May billing, was deposited by the Respondent; subsequent accusations by Respondent that the payment had not been made required effort by the Complainant to prove payment by obtaining a copy of the check from Complainant's bank. No confirmation has been received by the Complainant that this has properly been credited.
  - k. In subsequent contacts by the Respondent, threats have been made to the Complainant to disconnect service, even following a dispute letter that was filed and all current payments up to date.
  - l. During this process, multiple requests were made by the Complainant for documentation of the account; these requests were denied until contact was made with the Public Service Commission of the State of Missouri. Subsequent to an informal complaint, Respondent's representative, Mrs. Ella Oatts, stalled any attempts for proper documentation until reprimanded by a representative of the Public Service Commission of the State of Missouri.
  - m. To date this issue has not been resolved.
3. The Complainant has taken the following steps to present this complaint to the respondent.
- a. Numerous contacts were made by Complainant to the Respondent via telephone throughout this process.
  - b. Numerous Facsimile transmissions occurred between the Complainant and the Respondent during this time period, including a Facsimile to Matt Rivera a representative for Respondent on April 16, 1999 disputing the charges in error.
  - c. On May 22, 1999 a letter of dispute was sent to Executive Office at Southwestern Bell, 1010 Pine Street, 6<sup>th</sup> Floor, Saint Louis, MO 63101. A copy was forwarded to the Public Service Commission of the State of Missouri.
  - d. Numerous efforts were made by Complainant to provide all documentation of correction to Respondent, including proof of payment.

WHEREFORE, Complainant now requests the following relief:

- 1. A credit to the current Account # 636-939-2446-058-0 for errant charges from the Period previous to the and including the March 1999 billing for errant charges originally designed to be credits in the amount of \$140.91 plus applicable taxes, tariffs, and extraneous charges.
- 2. A credit to the current Account # 636-939-2446-058-0 for errant charges from all periods for all late fees, applicable taxes, tariffs, and extraneous charges.
- 3. A credit to the current Account # 636-939-2446-058-0 for \$25.00 for an errant charge for a Returned Check Fee.
- 4. A credit to the current Account # 636-939-2446-058-0 for errant charges in the amount of \$239.42 for multiple billing of accounts during the period of time that service was billed at multiple locations.
- 5. A credit to the current Account # 636-939-2446-058-0 for the May 22, 1999 payment of \$144.50 yet to be acknowledged.
- 6. Any other monetary amount deemed appropriate by the Commission in regards to punitive damages due to the harassment endured by the hand of the Respondent
- 7. Any fees incurred by Complainant as a result of the hiring of an attorney in this matter.

7/22/1999  
DATE

  
Signature of the Complainant