

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
January 5, 2000**

CASE NO: TC-2000-155

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Gerry Miller
Presiding Commissioner
Barton County Courthouse
1104 Broadway
Lamar, MO 64759

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Gerry Miller, Presiding Commissioner,)	
County of Barton,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2000-155</u>
)	
GTE Midwest Incorporated,)	
)	
Respondent.)	

ORDER DIRECTING STAFF INVESTIGATION AND REPORT

On August 18, 1999, Gerry Miller, Presiding Commissioner of the County of Barton (Complainant), filed a complaint against GTE Telephone Company (GTE). The complaint alleges that GTE has been incorrectly billing residents outside of Barton County for Barton County's 911 Service. Complainant requests that GTE refund the payments which have been incorrectly collected since 1991, and that GTE supply to the Barton County Commission the names and phone numbers, the amounts paid, and the date the refund was made to those residents outside of Barton County who were incorrectly charged for the 911 Service.

The Commission issued a Notice of Complaint to GTE by certified mail on August 24, 1999, requiring GTE to answer within 30 days of the date of the notice. GTE did not comply with this order. On October 26, 1999, the Commission issued an Order Directing Filing, directing GTE to file an answer or to file notice, by

November 5, 1999, that the complaint has been satisfied. On November 5, 1999, GTE filed a response in which it indicated that it has worked to resolve all issues of concern. GTE states that based upon its communications with the officials at Barton County, GTE believes that this matter has been substantially resolved to their satisfaction, and GTE expects that the remaining details of a settlement will be resolved in the near future.

The Commission issued a Second Order Directing Filing on November 16, 1999, in which it directed Complainant to respond to GTE's filing and either confirm or deny that the matter has been satisfactorily resolved. Complainant was directed to comply by November 30, 1999. The Commission issued a Notice on December 28, 1999, indicating that the case would be closed if the Complainant did not file a reply on or before January 7, 2000. On January 3, 2000, Complainant filed a letter indicating that the matter has not been resolved to its satisfaction.

The Commission finds that it is appropriate to direct Staff to investigate the complaint and report its findings. Staff is also directed to specifically address the question of whether or not the Commission has jurisdiction to grant the relief requested.

IT IS THEREFORE ORDERED:

1. That the Staff of the Missouri Public Service Commission is directed to investigate the circumstances of the allegations and file a report no later than February 4, 2000.

2. That this order shall become effective on January 19, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 5th day of January, 2000.

**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 5TH day of January 2000.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge