

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 3, 2000**

CASE NO: TC-2000-60

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

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

Linda K. Gardner
Sprint
5454 W. 110th Street
Overland Park, KS 66211

Christopher G. Miller
606 East High Street
Jefferson City, MO 65101

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

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 3rd
day of February, 2000.

Christopher G. Miller,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2000-60</u>
)	
Sprint Missouri, Inc., d/b/a Sprint,)	
)	
Respondent.)	

ORDER DISMISSING COMPLAINT

On July 29, 1999, Christopher G. Miller (Complainant) filed a complaint against Sprint Missouri, Inc., d/b/a Sprint (Sprint), regarding unauthorized Inside Wire Maintenance charges. Sprint filed an Answer and Notice of Satisfaction, in Part, of Complaint on August 20, 1999. On October 3, 1999, the Commission issued a notice which indicated that the Complainant could respond to Sprint's Answer and Notice of Satisfaction, in Part, of Complaint no later than November 3, 1999. Complainant did not file a response.

On November 16, 1999, the Commission issued an Order Directing Filing, directing the Staff of the Missouri Public Service Commission (Staff) to conduct an investigation of the complaint and file a report of its findings no later than December 16, 1999. The order also indicated

that Sprint and Complainant could file responses to Staff's memorandum no later than January 17, 2000.

Staff filed a Staff Recommendation and Memorandum on December 16, 1999, recommending that the Commission issue an order dismissing the complaint. The Memorandum notes that Sprint officials claim it is not the company's practice to automatically add Inside Wire Maintenance to customer bills without customer permission as Complainant assumes. The charges in this case resulted from an error in processing the order and not out of a practice of automatically applying the charge without consumer consent. Staff notes that when it contacted a Sprint representative regarding the complaint, Sprint stated that Complainant's account received a total credit of \$19.60 (5 months at \$3.00 = \$15.00 for the Inside Wire Maintenance charge, and \$4.60 for late payment fees). The Complainant received credits of \$11.90 on August 8, 1999, and \$7.70 on December 8, 1999.

Staff recommended that Case No. TC-2000-60 be dismissed. Staff believes that the \$19.60 credit fully reimburses Mr. Miller for Sprint's application of the "Inside Wire Maintenance" charge. Staff states that current rules and practice do not require every customer change to be done in writing. Staff contends that Mr. Miller's proposal to require written authorization to add "Inside Wire Maintenance Service" to a customer's account is not an acceptable alternative as such a requirement would significantly delay service orders. Furthermore, Staff tried to contact Mr. Miller several times to address the specific circumstances or facts that may be in question, but he failed to respond.

On December 30, 1999, the Commission issued an order which directed that any response to Staff's recommendation must be filed by January 4, 2000, instead of by January 17, 2000, as previously directed. No responses were filed.

The Commission has reviewed the complaint, Sprint's response, and the Staff's Recommendation and Memorandum. The Commission takes particular note of the fact that Complainant has been given several opportunities to respond to Sprint's Answer and Staff's memorandum, and that Complainant failed to do so. The Commission finds that the complaint shall be dismissed.

IT IS THEREFORE ORDERED:

1. That the complaint filed by Christopher G. Miller against Sprint Missouri, Inc., d/b/a Sprint, on July 29, 1999, is dismissed.
2. That this order shall become effective on February 15, 2000.
3. That this case may be closed on February 16, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray, and Schemenauer, CC., concur.

Ruth, Regulatory Law Judge

Att/Secy:

Ruth Long

Date Circulated

1-27

TC-2000-60
CASE NO.

Lumpe, Chair

Crumpton, Commissioner

Murray, Commissioner

Schemenauer, Commissioner

Draimer, Vice-Chair

2-3
Agenda Date

Action taken:

5-0AA

Must Vote Not Later Than

**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 3RD day of FEBRUARY 2000.

Dale Hardy Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

