

Monday, June 20, 2016

File No. TC-2015-0205

TO: Whitney Payne, counsel for Missouri Public Service Commission

The following is in response to the Commission's ORDER SETTING DEADLINE FOR FILING REPORT (June 8, 2016) and AT&T's MOTION TO DISMISS (May 11, 2016).

I fully understand the Commission's limited jurisdiction and powers as mediator in my complaint, but I respectfully decline the recommendation for dismissal on the grounds the following have yet to be rectified by AT&T as requested at the March 23, 2016 Pre-hearing. There were (4) issues I raised:

- Internet shuts down then reboots several times at any given period or there are long delays in connecting, which was never an issue before. Service is not with AT&T.
- Periodically, when phone rings there are intermitted short rings.
- Still receiving dropped calls (see documented incidents)
- Receive disconnect notices from AT&T 24-48 hours before expected payment in which I have to call the company to make arrangements I am then bound too. A practice directly taken from the Privileged and Confidential Settlement Agreement Leo Bub tried to coerce me into signing at the May 28, 2015 Mediation hearing with Judge Michael Bushmann. Number 1 of section 2 reads: "Ms. Smith acknowledges that she needs to pay her telephone bill in full each month and agrees to do so going forward." I will reiterate the pointed I made in my June 3, 2015 correspondence to Mr. Bub: "This was not the reason for the complaint . . . AT&T . . . is still not taking responsibility for its actions." This new tactic is nothing short of underhanded, bullying and retaliatory.

In Section II (Response to Request for Further Mediation) of AT&T'S MOTION TO DISMISS it states: ". . . since its (staff's) August 26 Report and Motion . . . AT&T has reported no complaints from Ms. Smith-Sattarin following this action" ("gold plating"). What was I doing on March 23rd? Mr. Bub as well as Matt Pritcher were present at the hearing and heard these request.

Second, since representatives from both the Commission and AT&T, Myron Couch and Mr. Pritcher, accompanied by three technicians, made a site visit to my home to assess the phone line and work on it on August 20, 2015, five additional technicians have been dispatched. Most recently on Friday, June 17, 2016 to address the second and third issues including breaks in the connection whenever the receiver is picked up to make calls; an issue originally raised in the complaint. The first dispatch occurred on October 2, 2015, where the technician replaced the phone box on the back of the house and did some rewiring in the basement. Mr. Couch and I have been in constant communication since the site visit discussing my complaint, which included the Oct 2nd dispatch as well as an incident involving the unprofessional conduct of one of AT&T's technicians.

In response to the second half of Section 1 of AT&T's MOTION TO DISMISS:

“...telecommunications providers have no duty to provide a specific level of quality of phone service.” I disagree. Despite, a number of technicians over the course of the complaint being dispatched to my home to address the phone issues, telecommunication providers, in this case AT&T, do have a responsibility to see to it customers are not continuously inconvenienced like I have been with substandard service. As a long standing customer of Southwestern Bell Telephone Company d/b/a AT&T quality telephone service is expected when I am paying the bill. This would not be an issue with anyone else or for that matter anywhere else. In all my years as a customer I have never experienced the types of issues raised in the complaint and the countless others documented in the Activity Log.

Below are just a few of the documented incidents of phone problems that have occurred since August 20, 2015.

Wed., October 14th 2015

11:26 p.m. – Interruption on phone line – dropped call.

Tue., December 8th 2015

5:13-5:19 p.m. – **Phone went dead** while on a long distance call with friend of mine. She called back twice said the phone rang then heard digital sounds on line. The phone never rang on my end because there was no dial tone; just dead

Mon., March 21st 2016

4:35 p.m. – Family friend called long distance talked until 6:13 p.m. when the **phone went dead**. 6:14 p.m. she called back, but all I heard were short intermittent rings.

Thurs. June 9th 2016

2:44 p.m. – On a call with AT&T and the **call is dropped**.

5:38 p.m. – On a call conducting business when **call was dropped (5:41 p.m.)**. A few minutes later got dial tone.

At the Pre-hearing Judge Kim Burton gave me three options on how I would like to proceed with this matter:

- Dismissal
- Mediation or
- Set up a hearing

I chose to mediate further giving AT&T ample opportunity to follow through on the request laid out in this response. I also requested and have not received a copy of the transcript as promised in the Pre-hearing nearly 3-months ago. No one is more anxious to see the conclusion of this complaint, but when AT&T spends more time filing dismissals to brush this matter under the

carpet as well as continue to evade the concerns I as a consumer have the right to bring to the attention of Missouri Public Service Commission and the Federal Communications Commission there will be delays.