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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 7th
day of January, 1998.

Douglas W. Beal, M.D. d/b/a Douglas W.)	
Beal, M.D., P.C. 2516 Forum Blvd.,)	
Columbia, MO 65203, Plaintiff, vs.)	
General Telephone and Electronics)	<u>Case No. TC-98-229</u>
Corporation, C.A. Bennett, Registered)	
Agent, 324 East 11th Street, Kansas City,)	
MO 65106-2417, Defendant.)	

ORDER DISMISSING COMPLAINT

This complaint was filed on December 4, 1997, against General Telephone and Electronics Corporation, C.A. Bennett, Registered Agent, 324 East 11th Street, Kansas City, Missouri 65106-2417. However, the records of the Missouri Secretary of State reveal no such corporation registered to do business in Missouri. The only corporation with a similar name on file in the Missouri Secretary of State's office was General Telephone and Electric Company, a New Jersey corporation which registered in Missouri on August 16, 1933. The New Jersey corporation's registered agent is listed as C.A. Bennett at the above-listed Kansas City address. However, the state records show this company withdrew from doing business in Missouri on March 8, 1934.

The Complaint alleges that Douglas W. Beal, M.D., d/b/a Douglas W. Beal, M.D., P.C. (Complainant), suffered damages from a loss of business as a result of the Respondent's negligence in omitting and failing to correctly list Complainant's address and phone number in its telephone directory over the past three years. To remedy this loss, Complainant asks the Commission to award compensatory damages, punitive damages and

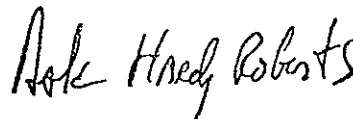
attorney's fees. However, the Commission finds it does not have jurisdiction to award damages. Although the Commission has jurisdiction to establish rates and assure an acceptable quality of service, it is an administrative body and not a court and has no power to determine damages or award pecuniary relief. Straube v. Bowling Green Gas Co., 227 S.W.2d 666, 668-669 (Mo. 1950); Wilshire Construction Co. v. Union Electric Co., 463 S.W.2d 903, 905 (Mo. 1971).

As the Complaint fails to request a remedy which may be granted by the Commission or name a proper party as the respondent, it shall be dismissed.

THEREFORE, IT IS ORDERED:

1. That the complaint filed by Douglas W. Beal, M.D., d/b/a Douglas W. Beal, M.D., P.C., on December 4, 1997, is dismissed for failure to request a proper remedy or name a proper party as the respondent. 4 CSR 240.070 (5) (B).
2. That this order shall become effective on January 21, 1998.
3. That this case shall be closed on January 22, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Murray, and Drainer, CC., concur.
Crumpton, C., not participating.

Hennessey, Regulatory Law Judge