

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

R. Mark,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. TC-2006-0354</u></b>
	)	
Southwestern Bell Telephone, L.P.,	)	
d/b/a AT&T Missouri,	)	
	)	
Respondent.	)	

**ORDER DIRECTING COMPLAINANT TO SHOW CAUSE WHY**  
**HIS COMPLAINT SHOULD NOT BE DISMISSED**

Issue Date: August 16, 2006

Effective Date: August 16, 2006

R. Mark filed a complaint against Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, on March 15, 2006, which resulted in the Missouri Public Service Commission opening this case.

On June 22, 2006, the Commission issued an order which, among other things, scheduled a prehearing conference for July 7, 2006, at 1:30 p.m. The prehearing conference convened on July 7, at the scheduled time. AT&T Missouri and the Commission's Staff appeared for the conference by their counsel. The complainant did not appear in person and did not make arrangements to appear by telephone.

On July 27, 2006, the Commission issued an Order Establishing Service Method and Scheduling a Second Prehearing Conference. In that order the Commission scheduled a second prehearing conference for August 15, 2006, at 1:30 p.m., provided a toll-free

number to allow parties to participate by telephone, and advised Mr. Mark that failure to participate in the second prehearing conference could result in his case being dismissed.

On the morning of August 15, Mr. Mark filed a Complainant's Advisement that a Response Shall be Filed to Respondent's Pleading Dated August 4, 2006 and Such Response Shall be Filed on or Before August 22, 2006 ("Advisement"). In his "Advisement" Mr. Mark made no mention of and did not ask to be excused from the prehearing conference scheduled for that afternoon.

The second prehearing conference convened on August 15, at the scheduled time. AT&T Missouri and the Commission's Staff again appeared for the conference by their counsel. The complainant did not appear in person or by telephone. When the complainant failed to appear for the second conference, AT&T Missouri made an oral motion to dismiss the complaint for the complainant's failure to appear.

Mr. Mark will be ordered to file a pleading showing cause why his complaint should not be dismissed for failure to appear at the prehearing conferences.

**IT IS ORDERED THAT:**

1. R. Mark shall file a pleading, not later than August 28, 2006, showing cause why his complaint against Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri should not be dismissed.

2. This order shall become effective on August 16, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

(S E A L)

Cherlyn D. Voss, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 16<sup>th</sup> day of August, 2006.