

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

Lula Fabyanic,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. TC-2005-0174
	)	
VarTec Telecom, Inc.,	)	
	)	
Respondent.	)	

**STAFF REPORT**

COMES NOW the Staff of the Missouri Public Service Commission and for its report states:

1. On December 17, 2004, Lula M. Fabyanic filed with the Missouri Public Service Commission a complaint against VarTec Telecom, Inc (VarTec). On December 20, 2004, the Commission issued a Notice of the complaint to VarTec, directing the company to respond to the complaint no later than January 19, 2005. On February 3, 2005, the Commission issued an Order Granting Default And Directing Staff Investigation. That order directed the Staff to investigate this matter and to file its report no later than March 21, 2005. On February 10, 2005, VarTec filed a request for the Commission to withdraw its Order of Default. On March 1, 2005, the Commission issued an Order Setting Aside Order Of Default.

2. In the attached Memorandum, which is labeled Appendix A, the Staff reports its opinion that, although the Complainant's service installation was delayed, VarTec did not violate any Commission rules. The Staff recommends dismissal of this complaint.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ William K. Haas**

William K. Haas  
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Missouri Bar No. 28701

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 21<sup>st</sup> day of March 2005.

**/s/ William K. Haas**

William K. Haas