



8035 E. R.L. Thornton
Suite 410
Dallas, Texas 75228

January 10, 2005

Mr. Dale Hardy Roberts
Secretary of the Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

FILED³

JAN 14 2005

**Missouri Public
Service Commission**

RE: Case No. TC-2005-0139

Mr. Roberts,

This letter is in response to Mr. Larry Hawkins complaint against Missouri Comm South (MCS). This same complaint was filed on August 27, 2004 and was responded to Ms. Beverly Faulkner of the Missouri PSC on September 2, 2004. A copy of that response along with the complaint is attached to this document.

On April 26, 2004, MCS initially added Call Trace at the customer's request. MCS checked with the SBC Call Trace Center and they did not see a successful trace logged. We gave Mr. Hawkins instruction on how to successfully trap a call and explained the results would be sent to the local police department in that area. We contacted Sgt. Howard at the City of St. Joseph Police Department and gave him the number of the SBC Call Trace Dept. where he could request the results of any successfully trapped calls in the event he did not receive them.

We spoke with Mr. Hawkins on 8/30/2004 and explained the way in which Call Trace worked. After every successful trace, a report will be sent to the police department by SBC Call Trace Center. We also suggested that Mr. Hawkins contact Sgt. Howard in regard to any received traces.

Mr. Hawkins has been very dissatisfied that his calls are not being traced, however MCS has complied with all the Call Trace requests. Attached to this response are the two Call Trace reports produced by SBC, which we faxed to Sgt. Howard on 10/25/04.

On 11/23/04 Mr. Hawkins again requested Call Trace be established on his line, and we advised him that he must file a police report regarding the harassing calls, however our notes state Mr. Hawkins was very upset and hung up. A copy of MCS notes on the account is attached as well.

Page 2

January 10, 2005

Mr. Dale Hardy Roberts
Secretary of the Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

RE: Case No. TC-2005-0139

Please advise what Missouri Comm South should do to resolve this complaint. MCS has placed numerous traces on Mr. Hawkins line at his request, however the process does not seem satisfactory him. If customer is agreeable to a number change, MCS would change the number as a one time courtesy, at no charge to Mr. Hawkins to try to resolve his problems.

Sincerely,



Sheri Pringle
Director - Regulatory Affairs
Comm South Companies, Inc.
214.355.7005
springle@commsouth.net

cc: Mr. Larry Hawkins
6016 N 23rd Street
St. Joseph, MO 64505-1117

Sheri Pringle

From: Sheri Pringle
Sent: Monday, January 10, 2005 9:50 AM
To: Sheri Pringle
Subject: FW: Commission Complaint C200502043 Account Name Larry Hawkins

Sheri Pringle
Director-Regulatory Affairs
Comm South Companies, Inc.
214.355.7005 (V)
214.355.7259 (F)
springle@commsouth.net

-----Original Message-----

From: beverly.faulkner@psc.mo.gov [mailto:beverly.faulkner@psc.mo.gov]
Sent: Thursday, September 02, 2004 10:10 AM
To: Regulatory@commsouth.net
Subject: RE: Commission Complaint C200502043 Account Name Larry Hawkins

Thank you for the information and I apologize for your experience with Mr. Hawkins. I've talked with him in the past and he can be unpleasant at times.

Sorry.

-----Original Message-----

From: Regulatory [mailto:Regulatory@commsouth.net]
Sent: Thursday, September 02, 2004 10:03 AM
To: 'beverly.faulkner@psc.mo.gov'
Subject: RE: Commission Complaint C200502043 Account Name Larry Hawkins

Ms. Faulkner,

Back in April 26, 2004 we initially added Call Trace at the customers request. We checked with the SBC Call Trace Center(they handle our requests for that area) and they did not see a succesful trace logged. We have placed Call Trace again on the customers service. Ms. Hawkins will have to press *57 after each call she would like to trace. We will leave the option on the line for 7 days from the first time *57 is dialed from the phone. The results will be sent to the local police dept in that area. I will contact Sgt Howard and give him the number were to request the results in the event he does not receive them.

I did speak with Ms. Hawkins husband(Lawrence) on 8/30 who made the incident report. I just want to make you aware he was very rude and constantly used profanity.

If I may be of further assistance please let me know.

Thank you,
Jose Segovia
CSC
214.355.7108

-----Original Message-----

From: beverly.faulkner@psc.mo.gov [mailto:beverly.faulkner@psc.mo.gov]
Sent: Monday, August 30, 2004 3:33 PM
To: JSegovia@commsouth.net
Subject: RE: Commission Complaint C200502043 Account Name Larry Hawkins

Yes, no problem.

-----Original Message-----

From: Jose Segovia [mailto:JSegovia@commsouth.net]
Sent: Monday, August 30, 2004 3:42 PM
To: 'beverly.faulkner@psc.mo.gov'
Subject: RE: Commission Complaint C200502043 Account Name Larry Hawkins

Thank you. The complaint said to respond within 3 business days. Could you grant me more time while I await a response from the carrier. See if they have any results from the trace placed back in April 04?

-----Original Message-----

From: beverly.faulkner@psc.mo.gov [mailto:beverly.faulkner@psc.mo.gov]
Sent: Monday, August 30, 2004 1:27 PM
To: JSegovia@commsouth.net
Subject: RE: Commission Complaint C200502043 Account Name Larry Hawkins

My number is: 314-340-4680, ext.222, anytime between 7:30am and 4:30pm Central Time.

-----Original Message-----

From: Jose Segovia [mailto:JSegovia@commsouth.net]
Sent: Monday, August 30, 2004 1:34 PM
To: 'Beverly.Faulkner@psc.mo.gov'
Subject: Commission Complaint C200502043 Account Name Larry Hawkins

Good Afternoon,

My name is Jose Segovia and I am currently working on this complaint. Could I take a few minutes of your time and call you(if so I would need your reach# and best time) or you can contact me at 214-355-7108.

Thank you



CITY OF ST. JOSEPH

POLICE DEPARTMENT * 501 FARAON * ST. JOSEPH, MISSOURI 64501-4113

ST. JOSEPH POLICE DEPARTMENT

Phone 816/271-4777

Fax 816/271-4793*

FAX

Fax Transmittal Cover Sheet

Date of Transmission: 22 APRIL, 2004

TO: COM SOUTH

Note: REF: HARASSING PHONE CALLS ON LAWRENCE HAWKINS

FROM: GALEN STREETER
St. Joseph Police Department

Number of Pages to Follow: 1

* The Fax Machine is located in the Central Records Division (which is not a 24 hour operation). UNDER NORMAL CIRCUMSTANCES, Messages will be answered from 7:30 am - 4:00 pm., Monday - Friday.

If an urgent response is necessary, please call 816 -271-4777 (Communications Center)

St. Joseph Police Department Offense/Incident Report				1. Offense/Incident PHONE HARASSMENT				2. Case Number 04-14345			
3. Location of Offense/Incident 6016 N. 23RD ST. TOL				4. Date/Time of Report 4-22-04 1120				5. Date/Time of Occurrence 10-03 To 4-22-04 1100			
6. Victim (Last Name, First, M.I.) Jr./Sr. HAWKINS, LAWRENCE, W				7. Sex M		8. Race W		9. Date of Birth 7-28-47		10. S.S.N. 486520826	
11. Victim Address 6016 N. 23RD ST. TOL ST. JOSEPH MO				12. HOME / CELL PHONE 671-0938		13. Height 6'1		14. Weight 375		15. Hair GRAY	
17. Employer N/A				18. Alias/Misc. Information							
19. Employer Address				20. Employer Phone				21. Relation to Offender Unknown			
22. Complainant/ Victim (Last Name, First, M.I.) Jr./Sr. N/A				23. Sex		24. Race		25. Date of Birth		26. S.S.N.	
27. Complainant/Victim Address City State Zip Code				28. Home phone		29. Height		30. Weight		31. Hair	
33. Employer N/A				34. Alias/Misc. Information							
35. Employer Address				36. Employer Phone				37. Relation to Victim			

VEHICLE	38. Stolen Vehicle <input type="checkbox"/> Suspect Vehicle <input type="checkbox"/> Victim <input type="checkbox"/> Other <input type="checkbox"/>			39. Year		40. Make		41. Model		42. Color		43. License Number, State, Year	
	44. V.I.N.			45. Registered Owner				46. Lien Holder					
	47. Distinguishing Marks, Damage, Decals, Etc.												
	48. Doors Locked? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>		49. Keys In Vehicle? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>		50. Hidden Key? Yes <input type="checkbox"/> No <input type="checkbox"/>		51. Recovered? If yes, Time/ Date of Recovery				52. Value		
	53. Location Type Home Phone			54. a. Tool Used		54. b. Weapon Used		59. Scene Processed Yes <input type="checkbox"/> No <input type="checkbox"/>		60. Officer Name		61. P.I.N.	
M.O.	55. Entry Made? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Force <input type="checkbox"/> No Force <input type="checkbox"/>			56. Method Used to Gain Entry N/A		62. Evidence Collected Yes <input type="checkbox"/> No <input type="checkbox"/>		63. Officer Name		64. P.I.N.			
	57. Point of Entry N/A			58. Point of Exit N/A		65. Evidence Disposition Property Room <input type="checkbox"/> Released <input type="checkbox"/> Other (specify)							

PROPERTY	66. Item Number	67. Quantity	68. Value	69. Description (ID #, Model, Manufacturer, etc.)	70. Color	71. Serial#	72. Recovered?	73. Released?
							Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
							Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
							Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
							Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
							Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
							Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
							Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

74. Reporting Officer (Print) E. STAMETER		75. I.D. Number 8257	76. Reviewing Officer	77. I.D. Number
---	--	--------------------------------	-----------------------	-----------------

04/22/04

SBC CALL TRACE CENTER TRAP/TRACE REPORT

The information contained in the following facsimile message is proprietary and confidential information intended for the use of the individual or entity named on this cover sheet. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited.

TO:

PHONE:

FAX:

FROM: CALL TRACE CENTER

PHONE: 785-291-2710

FAX: 7852912725

***** EXPLANATION OF CALL DETAILS ON ATTACHED REPORT *****

DATE: Date the call was originated

TIME: Time the call was originated

TRACING OFC: Clli Code of the office which traced the call.
Populated with 'Home Ofc' when traced by the local switch.

UNNAMED: The one character code without a heading is used to identify what type of entry the CALLING NO/OFC field contains.
C=Clli code N=phone Number T=Trunk Group

CALLING NO/OFC: Populated with either a phone number, clli code or trunk group depending on what information is available.

COT: Value of 'Y' indicates Customer Originated Trace.
Value of 'N' indicates call is manually traced.
Value of 'F' indicates Customer Originated Trace Failure.

TRAP: When this field is populated it indicates that an originating trap has been requested at the CLLI Code listed in the CALLING NO/OFC field. The field can contain these values:
U=Up mU=Manually Up rU=Requested Up
D=Down mD=Manually Down rD=Requested Down

ACNA: When populated this field will contain the Access Carrier Name Abbreviation (ACNA) or OCN (Operating Company Number) for the Clli Code listed in the CALLING NO/OFC field.

Proprietary
Not for use or disclosure outside the SBC family of
companies except under written agreement

Report ID: PDCALLS

PAGE: 2
RUN DATE: 09/10/04

DETAIL CALLS REPORT

Complete List Of Detail Calls For : 8166710938

Between 08/28/04 And 09/10/04

Date	Time	Tracing Ofc	Calling No/Ofc	COT	TRAP	ACNA
2004-09-06	16:16:24	home ofc	N 8162320834	Y		
2004-09-06	17:29:02	home ofc	N 8162320715	Y		
2004-09-07	13:04:30	home ofc	C KSCYMMCMCJMD	F		ALN

ACNA/OCN

COMPANY NAME

ALN

GLOBAL CROSSING

--- END REPORT ---

Proprietary
Not for use or disclosure outside the SBC family of
companies except under written agreement

SBC Communications

Phone: 000-000-0000

Fax:

To: CALL TRACE CENTER

Company: COMM SOUTH COMPANIES, INC

Fax: 2143557296

From:

Subject: CLEC Call Trace Report

Memo:

Date: 11/13/04

Time: 08:02 AM CST

Pages Sent: 3



Report ID: CLEC_ACT

PAGE: 1
RUN DATE: 11/13/2004
RUN TIME: 08:02:00

From 11/12/2004 To 11/12/2004

SBC CLEC CALLTRACE REPORT

CLEC: 9895 COMM SOUTH COMPANIES, INC

Section 1: The following case(s) were either opened at your request or following a request made by your customer via use of a Voice Response System. If the customer has requested a return contact, the date the request was received will be populated in the Call Back Field. Please contact your customer(s) as soon as possible to handle the disposition of these cases. If the Call Back field is not populated, no action is necessary at this time.

Case Number	Open Date	Close Date	Can Be Reached	Case Type	Call Back
-------------	-----------	------------	----------------	-----------	-----------

NOTHING TO REPORT

Section 2: Your customer(s) reported calls for the date/time(s) listed below. The reported date/time may or may not match a call captured by a successful customer activated trace (COT), an unsuccessful customer activated trace (COT ATTEMPT), or manually trapped (MAN) call. Our matching criterion is plus or minus 10 minutes.

Phone# Reported	Reported Date and Time	Match
-----------------	------------------------	-------

NOTHING TO REPORT

Section 3: The following numbers have been identified as calling number(s) which originated annoying or harassing calls. The customer receiving these calls has requested that a deterrent contact with the subscriber be made.

Phone Number	Type of Call
--------------	--------------

NOTHING TO REPORT



Section 4: The calling number(s) for the following Call Trace requests have been successfully identified. A deterrent contact has been made with the subscriber or with the CLEC of the subscriber.

Phone Number

NOTHING TO REPORT

Section 5: In reference to your customer's request for assistance identifying the origin of annoying calls being received, a report has been sent to the local law enforcement agency for the following cases:

Phone Number

NOTHING TO REPORT

Section 6: The following accounts have been identified as originating annoying calls and have been referred to law enforcement:

Phone Number

3148674028

1 Account(s) Identified

Date/Time	From	To	Note Text
10/25/2004 14:22	sfalco	All	customer called in (husband) reporting harrasment calls. adv cust call trace is active in svc and he needs to get a police report re harrasment calls, cust very upset and using profanity. cust hung up
10/20/2004 16:28	jsegovia	All	Spoke with Gay from MO PSC, I have fax Sgt Howard the information SBC has provided me.
10/13/2004 15:31	srobertson	All	notes by Helen...customer called in(spouse) wanted to know about his call trace feature. Advised customer that call trace is \$6.00-\$10.00 per call..Customer states that he called detective over his case and states that the call's are not being traced. Customer got upset and hung up.
9/2/2004 9:52	jsegovia	All	call trace will remain on for 7 days once *57 is dialed for the 1st time(cost is \$8-10 per succesful trace)
8/27/2004 14:19	jsegovia	All	rcvd MO PSC(PUC) complaint regarding call trace, awaiting call back from Sgt Howard
8/27/2004 13:31	jsegovia	All	called cust at home#(no answer) called Sgt Howards per cust husb request, will await for cback, in reviewing acct call trace was added back in 4/26/04.
8/27/2004 11:27	sfalco	All	customer called in (husband) re call trace. cust said that he req call trace to added to svc, but since then no offensive call was traced. tried to explain that for every successful trace, report will be sent to police dept. to cust but keeps interrupting. cust said that he will cb after an hour with police dept chief re concern. cust req CSC to call Sgt Howard at 816-271-4783. pls explain to cust that call trace as added to svc for one week only after activation.
4/22/2004 15:07	sdeleon	All	received police report adv cust call trace will be added in 5-7 working days also adv cust charge for each sucessful call trace \$8 to \$10. once call trace is added I will call the cust to provide him with the code to trace the call will f/u on account
4/22/2004 11:38	hpannell	All	customer called in, states that he called local sheriff dept 816-271-4782 Officer Streeter case# 04-14345 gave customer fax#...states that he will have info faxed..customer hung up..was not able to advise customer that charges of \$8.00-\$10.00 will apply for each call traced

4/22/2004 11:09	srobertson	All	<p>cust spouse Larry called in to report that he wnts call trace on the line advise him of procedure he states that is not what swb is telling him advise him comm south have different procedure from swb ...If he wnts call trace with us he will need to provide us with police report and case number..states the police dpt said something different..states he want to speak to someone over me let him speak w/my supervisor advise him that she will mail that info out to him 10026185S4103 status changed from R to I by Autosend (To add</p>
4/12/2004 8:51	System	All	<p>Call Trace)</p> <p>cust spouse larry called to report that he need call trace on the line advise him that we would need police report before that can be done..spouse start using bad words left him speak to sdeleon since she send orders regarding the call trace she advise him of the same</p>
1/30/2004 11:31	srobertson	All	<p>thing cust hung up...</p>