

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

Double Delta Arizona, LLC)	
)	
Complainant.)	
)	
v.)	File No. TC-2014-0218
)	
Southwestern Bell Telephone, L.P.,)	
d/b/a AT&T Missouri,)	
AT&T Missouri)	
Legal Department)	
One AT&T Center)	
909 Chestnut Street, Room 3558)	
St. Louis MO 63101)	
)	
CERTIFIED MAIL)	
)	
Respondent.)	

**NOTICE OF CONTESTED CASE AND
ORDER DIRECTING FILING**

Issue Date: February 7, 2014

Effective Date: February 7, 2014

The Commission is giving notice of a contested case, ordering the filing of an answer, and directing Staff to investigate and file a report. On February 7, 2014, the complainant filed the complaint,¹ a copy of which accompanies this notice. Such filing vested the right to a pre-decision evidentiary hearing in the respondent,² so that filing instituted a contested case.³

¹ Electronic Filing and Information Service No. 1, *Complaint* filed on February 7, 2014.

² Section 386.390.5, RSMo 2000.

³ Sections 536.063(1) and 536.010(4), RSMo Supp. 2012.

A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,⁴ including by stipulation and agreement.⁵ Provisions governing discovery are at the Commission's regulation 4 CSR 240-2.090. The Commission's regulations require the filing of an answer as follows:

(8) Upon the filing of a complaint in compliance with these rules, the secretary of the commission shall serve by certified mail, postage prepaid, a copy of the complaint upon the person, corporation or public utility against whom the complaint has been filed, which shall be accompanied by a notice that the matter complained of be satisfied or that the complaint be answered by the respondent, unless otherwise ordered, within thirty (30) days of the date of the notice.

(9) The respondent shall file an answer to the complaint within the time provided [. ⁶]

The Commission may also alter the period for filing an answer under its regulation on the computation of time.⁷

The Commission will also direct Staff to investigate the cause of the complaint and file a report of the results of the investigation.⁸

As an alternative to the formal evidentiary hearing procedure, the Commission offers mediation. Mediation is a voluntary process in which a neutral person assists the parties in exploring opportunities for settlement. Upon a request for mediation, the Commission may suspend the filing date set forth in this order.

⁴ Sections 536.060, RSMo 2000.

⁵ *Id.* and 4 CSR 240-2.115.

⁶ 4 CSR 240-2.070(8) and (9).

⁷ 4 CSR 240-2.050(3).

⁸ 4 CSR 240-2.070(11).

THE COMMISSION ORDERS THAT:

1. Respondent shall file an answer to the complaint no later than March 10, 2014.
2. The Commission's staff shall investigate the cause of the complaint and file a report of the results of the investigation no later than March 20, 2014.
3. This order is effective immediately upon issuance.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 7th day of February, 2014.