

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

The Innsbrook Corporation,

Complainant,

v.

AT&T Communications of the  
Southwest, Inc.,

Respondent.

Case No. IC-2007-0113

**COMPLAINANT INNSBROOK CORPORATION'S  
RESPONSE AND AFFIDAVIT IN OPPOSITION TO  
REPOENDENT'S MOTION FOR SUMMARY DETERMINATION**

COMES NOW Complainant, The Innsbrook Corporation, by and through their attorney, and files their Response and Affidavit in Opposition to the Respondent's Motion for Summary Determination in accordance with rule 4 CSR 240-2.117 (1)(C), as follows:

1. DENIED. Complainant Innsbrook Corporation contends that agreement is of no validity and fraudulent inducement precipitated its execution.
2. DENIED. See answer to number 1.
3. ADMITTED. See answer to number 1, and Affidavit of Steve Wobbe and Complainant's prior filings with this Commission.
4. DENIED. See answer to number 1, and Affidavit of Steve Wobbe and Complainant's prior filings with this Commission.
5. DENIED. See answer to number 1, and Affidavit of Steve Wobbe and Complainant's prior filings with this Commission.

6. Complainant is not able to admit or deny this allegation because the AT&T Service Guide has not been provided and was not provided to Complainant and therefore this paragraph is denied and Respondent is held to strict proof thereof.
7. Complainant is not able to admit or deny this allegation because the AT&T Service Guide has not been provided and was not provided to Complainant and therefore this paragraph is denied and Respondent is held to strict proof thereof.
8. Complainant is not able to admit or deny this allegation because the AT&T Service Guide has not been provided and was not provided to Complainant and therefore this paragraph is denied and Respondent is held to strict proof thereof.
9. Complainant is not able to admit or deny this allegation because the AT&T Service Guide has not been provided and was not provided to Complainant and therefore this paragraph is denied and Respondent is held to strict proof thereof.

WHEREFORE Complainant moves that the Alternative Motion for Summary Disposition be deemed inappropriate and denied.

LAW OFFICES OF  
DONALD KENNETH ANDERSON, JR.

By: 

Donald Kenneth Anderson, Jr., MBE #27362  
*Attorney for Complainant.*

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**AFFIDAVIT OF STEVE WOBBE**

STATE OF MISSOURI

COUNTY OF WARREN

I, Steve Wobbe, of lawful age, being duly sworn, depose and state:

1. My name is Steve Wobbe. I am the Vice-President of the Innsbrook Corporation. My address is #1 Aspen Circle, Innsbrook, Missouri 63390. I am the person in charge of telephone and other utility vendors for the Complainant. I am authorized to prepare and execute this Affidavit on behalf of the Corporation.
2. The representation made to by Allison Whitworth with AT&T was that my billing rate for the T1 Circuit would not be adversely affected by adding a few of our local trunks onto our AT&T long distance billing. I was very careful to point out to her, that my package of services included digital link service as well as T1 billing, and that I did not want those services to be impacted in a negative way due to adding some local trunks to our long distance bill. She assured me that those services would not be impacted and that furthermore, I would be saving on the long distance rates, so that barring an increase in the number of long distance minutes, the total billing would decrease.
3. I expected to continue with the same type of T1 circuit we had under the previous contract. There was no discussion of changing anything about the circuit. The only discussion about the T1 circuit was that I could not get a lower rate and that the rate would need to remain the same.

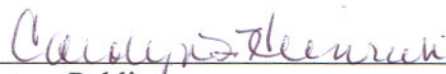
This concludes my affidavit.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on the 16<sup>th</sup> day of January 2007.

  
Steve Wobbe

State of Missouri, County of Warren, subscribed and sworn to before me this 16<sup>th</sup> day of January 2007.

  
Notary Public

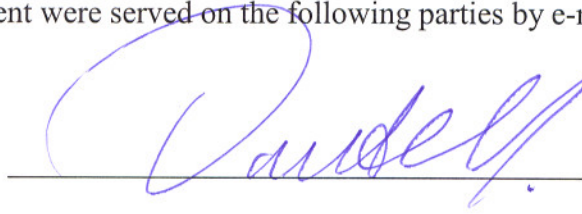
My commission expires: 6-10-09





**CERTIFICATE OF SERVICE**

Copies of this document were served on the following parties by e-mail on this 17<sup>th</sup> day of January 2007.



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