

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

Kanakuk Kamps, Inc.

Complainant,

v.

Verizon Communications,
a Texas Phone Company,

Respondent.

Case No. TC-2002-493

NOTICE OF COMPLAINT

Legal Department
GTE Midwest Incorporated
d/b/a Verizon Midwest
601 Monroe Street, Suite 304
Jefferson City, Missouri 65101
CERTIFIED MAIL

On April 25, 2002, Kanakuk Kamps filed a complaint with the Missouri Public Service Commission against Verizon Communications, a copy of which is enclosed. Pursuant to 4 CSR 240-2.070, Respondent Verizon shall have **30 days** from the date of this notice to file an answer or to file notice that the complaint has been satisfied.

In the alternative, the Respondent may file a written request that the complaint be referred to a neutral third-party mediator for **voluntary mediation** of the complaint. Upon receipt of a request for mediation, the 30-day time period shall be tolled while the Commission ascertains whether or not the Complainant is also willing to submit to voluntary mediation. If the Complainant agrees to mediation, the time period within which an answer shall be due shall be suspended pending the resolution of the mediation process. Additional information regarding the mediation process is enclosed.

If the Complainant declines the opportunity to seek mediation, the Respondent will be notified in writing that the tolling has ceased and will also be notified of the date by which an answer or notice of satisfaction must be filed. That period will usually be the remainder of the original 30-day period.

2

All pleadings (the answer, the notice of satisfaction of complaint or request for mediation) shall be mailed to:

Secretary of the Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102-0360

A copy shall be served upon the Complainant at the Complainant's address as listed within the enclosed complaint. A copy of this notice has been mailed to the Complainant.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Dated at Jefferson City, Missouri,
on this 26th day of April, 2002.

Copy to: Charles J. Fain, Esq.
Post Office Box 434
Forsyth, Missouri 65653

Thompson, Deputy Chief Regulatory Law Judge



Commissioners

KELVIN L. SIMMONS
Chair

SHEILA LUMPE

CONNIE MURRAY

STEVE CAW

BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.state.mo.us>

ROBERT J. QUINN, JR.
Executive Director

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. PRENGER
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Information Sheet Regarding Mediation of Commission Formal Complaint Cases

Mediation is a process whereby the parties themselves work to resolve their dispute with the aid of a neutral third-party mediator. This process is sometimes referred to as "facilitated negotiation." The mediator's role is advisory and although the mediator may offer suggestions, the mediator has no authority to impose a solution nor will the mediator determine who "wins." Instead, the mediator simply works with both parties to facilitate communications and to attempt to enable the parties to reach an agreement which is mutually agreeable to both the complainant and the respondent.

The mediation process is explicitly a problem-solving one in which neither the parties nor the mediator are bound by the usual constraints such as the rules of evidence or the other formal procedures required in hearings before the Missouri Public Service Commission. Although many private mediators charge as much as \$250 per hour, the University of Missouri-Columbia School of Law has agreed to provide this service to parties who have formal complaints pending before the Public Service Commission at no charge. Not only is the service provided free of charge, but mediation is also less expensive than the formal complaint process because the assistance of an attorney is not necessary for mediation. In fact, the parties are encouraged not to bring an attorney to the mediation meeting.

The formal complaint process before the Commission invariably results in a determination by which there is a "winner" and a "loser" although the value of winning may well be offset by the cost of attorneys fees and the delays of protracted litigation. Mediation is not only a much quicker process but it also offers the unique opportunity for informal, direct communication between the two parties to the complaint and mediation is far more likely to result in a settlement which, because it was mutually agreed to, pleases both parties. This is traditionally referred to as "win-win" agreement.

The traditional mediator's role is to (1) help the participants understand the mediation process, (2) facilitate their ability to speak directly to each other, (3) maintain order, (4) clarify misunderstandings, (5) assist in identifying issues, (6) diffuse unrealistic expectations, (7) assist in translating one participant's perspective or proposal into a form that is more understandable and acceptable to the other participant, (8) assist the participants with the actual negotiation process, (9) occasionally a mediator may propose a possible solution, and (10) on rare occasions a mediator may encourage a participant to accept a particular solution. The mediator will not possess any specialized knowledge of the utility industry or of utility law.

In order for the Commission to refer a complaint case to mediation, the parties must both agree to mediate their conflict in good faith. The party filing the complaint must agree to appear and to make a good faith effort to mediate and the utility company against which the complaint has been filed must send a representative who has full authority to settle the complaint case. The essence of mediation stems from the fact that the participants are both genuinely interested in resolving the complaint.

Because mediation thrives in an atmosphere of free and open discussion, all settlement offers and other information which is revealed during mediation is shielded against subsequent disclosure in front of the Missouri Public Service Commission and is considered to be privileged information. The only information which must be disclosed to the Public Service Commission is (a) whether the case has been settled and (b) whether, irrespective of the outcome, the mediation effort was considered to be a worthwhile endeavor. The Commission will not ask what took place during the mediation.

If the dispute is settled at the mediation, the Commission will require a signed release from the complainant in order for the Commission to dismiss the formal complaint case.

If the dispute is not resolved through the mediation process, neither party will be prejudiced for having taken part in the mediation and, at that point, the formal complaint case will simply resume its normal course.

Dale Hardy Roberts
Secretary of the Commission

Date: April 26, 2002.

MISSOURI PUBLIC SERVICE COMMISSION

Jefferson City, Missouri

KANAKUK KAMPS, Inc.

vs.

vs.

VERIZON COMMUNICATIONS,

a Texas phone Co.

Case No. TC-2002-493

FILED⁴

APR 25 2002

COMPLAINT

Missouri Public
Service Commission

COMES NOW, the Complainant, a private company, by its attorney of record, Charles J. Fain a Missouri licensed attorney, Missouri Bar Number 14830, and for Complaint against Verizon Communications, a Texas phone company operating in Missouri under the regulation of the Missouri Public Service Commission, and for its COMPLAINT against said phone company alleges and states:

1. The Complainant is a private operating company located at Branson, Taney County, Missouri where it owns and operates a private camp for boys on the shores of and adjoining to, Lake Taneycomo an impoundment on White River and well known as a vacation and tourist area.

2. For many years the Complainant, hereinafter called Kanakuk Kamps, has owned and operated a camp for boys on the shores of Lake Taneycomo, a nationally known impoundment of the waters of White River. Its facilities consist of cabins, dwellings, offices, play areas care for hundreds of young people who comes from throughout the midwest.

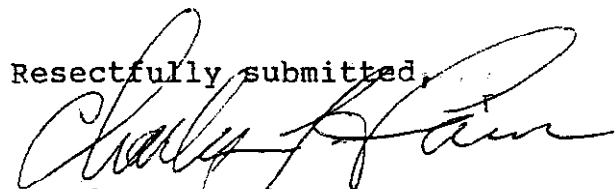
3. To carry on the extensive communications it must have throughout the midwest it is in need of extensive and unique telephone service which it can only obtain from Verizon Communications, the only public telephone system in the Taney County, Missouri area.

4. A request for a certain block of numbers was requested of the phone company but these have been denied. Attached hereto as Exhibit A is a copy of a letter request from Kanakuk to the phone company but this request has been denied. It is essential to Kanakuk business that these specific and special numbers be assigned to them, yet Kanakuk has been denied such.

5. Kanakuk requests this entire matter of the refusal for the specific services be set for hearing before this commission and that the hearing be held in the Branson, Missouri area.

A copy of this Complaint and request for hearing is being forwarded to the phone company.

Respectfully submitted,



STATE OF MISSOURI)
County of Taney)

Charles J. Fain,
Attorney for the Complainant,
P. O. Box 434, Forsyth, MO 65653

Charles J. Fain, states that he is attorney for the Complainant and the facts stated above are true, according to his best information and belief.

Subscribed and sworn to before me this

23 day of April, 2002.


NOTARY PUBLIC

Com Eppur

EX. A

Monday, March 04, 2002

Ms. Cathy Finney
Verizon Telecommunications

Dear Ms. Finney:

Mr. Jeff Schneider, Director of Information Systems at Kanakuk Kamps has brought to my attention a situation that materially affects our right to conduct business with the current technology determined best for the present and the future. Kanakuk Kamps has enjoyed a successful relationship with Verizon, GTE of Missouri, Contel, Contentinal of Missouri and others for much of our 76 years of operation in the area.

The following abstract of various E-mail and fax communications confirms the request for specific service and the your denial of these services.

1. Feb. 18, 2002 - 5:29 P.M. = Kanakuk Kamps initial formal request to our Verizon Account Manager Ms. Tricia Murray.
2. Feb. 21, 2002 - 1: 53 P.M. = Verizon's statement of non-availability of numbers to meet Kanakuk Kamps request.
3. Feb. 21, 2002 - 3:44 P.M. = Kanakuk Kamps clarifying of our need for 4 each blocks of 500 numbers.
4. Feb. 26, 2002 - 2:07 P.M. = Verizon's response with a list of available numbers that may be assigned. (Note that Kanakuk Kamps is the largest Christian Athletic Kamping system in the world and that Verizon's response with the first, of 1850 numbers is 0666, which as told in the Book of Revelations is the "Mark of the Beast". We trust and wish to believe this is purely coincidental and not intentional.
5. Feb. 27, 2002 - 12:46 = Kanakuk Kamps rejection, as unacceptable, the numbers offered to Kanakuk Kamps.
6. Mar. 04, 2002 - 2:45 P.M. = Kanakuk Kamps Fax of a detailed rejection of the inadequate services Verizon has offered.

The above communications demonstrated that Kanakuk Kamps has clearly and specifically requested services and that Verizon has denied said services. Would you please clearly and specifically explain why our request is denied.

Very truly yours,

Patrick M. Barnett
Property Administrator

patb@kanakuk.com // voice: 417) 336.6599 ext 269 // fax: 417) 239-3269

Article Sent To:

Verizon Midwest

Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$

Postmark
Here

Name (Please Print Clearly) (To be completed by mailer)

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, July 1999

See Reverse for Instructions

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 26th day of April 2002 .

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge





7
8

