

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
September 16, 1999**

**CASE NO: TC-2000-230**

**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Legal Department**  
Southwestern Bell Telephone Company  
One Bell Center Room 3520  
St Louis, MO 63101

**Enclosed find certified copy of a NOTICE in the above-numbered case(s).**

**Sincerely,**

  
**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

**Uncertified Copy:**  
**Dennis Overall**  
1655 S. Ingram Mills Rd, Suite L103  
Springfield, MO 65804

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

Dennis Overall,	)	
	)	
Complainant,	)	
	)	
v.	)	<u>Case No. TC-2000-230</u>
	)	
Southwestern Bell Telephone,	)	
	)	
Respondent.	)	

**NOTICE OF COMPLAINT**

Southwestern Bell Telephone  
One Bell Center, Room 3520  
St. Louis, Missouri 63101

**CERTIFIED MAIL**

On September 10, 1999, Dennis Overall filed a complaint with the Missouri Public Service Commission against Southwestern Bell Telephone, a copy of which is enclosed. Pursuant to 4 CSR 240-2.070, the Respondent shall have 30 days from the date of this notice to file an answer or to file notification that the nature of 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 is 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.

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 16th day of September, 1999.

Copy to: Dennis Overall  
General Counsel, Missouri Public Service Commission

Hopkins, Senior Regulatory Law Judge

FILED<sup>3</sup>

BEFORE THE PUBLIC SERVICE COMMISSION OF THE SEP 13 1999  
STATE OF MISSOURI

Missouri Public  
Service Commission

Dennis Overall )  
(your name) )  
Complainant )  
vs. ) Case No. TC-2000-230  
Southwestern Bell Telephone Co. )  
(company name) )  
Respondent. )

COMPLAINT

Complainant resides at 1655 S. Ingram Mill Rd Suite L103  
Springfield Mo

1. Respondent, Southwestern Bell Telephone Co  
(company name)  
of Springfield Mo, is a public utility under the jurisdiction of  
the Public Service Commission of the State of Missouri.

2. As the basis of this complaint, complainant states the following facts:

~~On 6-22-99 My Father was in a Car wreck at Sunshine and~~  
~~oak grove in springfield so I tray to call my mother~~  
~~to tell her we would be late. she is home bound.~~  
~~could not get through the telephone line was bussy~~  
I call the Operator to tell my Mother that this is a  
Emergency phone call she said that it is a \$1.90 so I  
~~xxx~~ said that I was at a pay phone to chagre to the other party.  
When I got home I look in the Phone book to see if there is a  
~~Charge for Breaking the Phone line for Emergency phone call~~  
There was not. I call Southerwestern bell and they gave back  
My Money for the phone call. you will see in writing that  
they tray to not should this bill as a Emergency Call

3. The complainant has taken the following steps to present this complaint to the respondent:

I call Southerwesten bell telephone that ~~xxx~~ this was not in Phone book and that they should give back all Money not Just to me but avery body that had a call like this. Kanas city office call me I told them that this happen to me She said that Not a thing to be done. this is what they charge other phone companys.

WHEREFORE, Complainant now requests the following relief:

that this Emergancy phone calls be off every phone bill. for

Good. this should come under your 911 Bill and~~x~~ not under any orther bill. if hearning is in order and I have to hire a Attorney that they should paid for this it is there Bill ~~xxx~~ that did this.

9-3-99

Date

Dennis Overall

Signature of Complainant

Account Number  
417-869-2293-402-4  
July 17, 1999



**Southwestern Bell**

Page **3** of 6

Billing For:  
SWBell Telephone

► **Current Charges**

Monthly Service - Jul 17 thru Aug 16 .....	10.10
- Special Municipal Charge .....	.64
Federal End User Common Line Charge .....	3.50
Special E911 Tax .....	1.01
Relay Missouri Surcharge .....	.13
Itemized Calls (See Items 1 and 2) .....	2.80
- Special Municipal Charge .....	.06

SWBell Telephone  
Billing Questions:  
1-800-585-7928

► **SWBell Telephone Current Charges (before taxes)**

.....	<b>18.24</b>
Federal Tax .....	.52
State and Local Taxes .....	1.06

**Itemized Calls**

<u>Item</u>	<u>Date</u>	<u>Time</u>	<u>Place Called</u>	<u>Area</u>	<u>Number</u>	<u>Rate*</u>	<u>Min</u>	<u>Amount</u>
<b>Calls from 417-869-2293</b>								
1	06/22	05:53PM	INTERRUPT	417	869-2209	S		
			COLLECT FROM	SPRINGF MO	COIN 417 888-0070			1.85 #
2	06/29	09:20AM	NATL411SVC	417	411-0000		1	.95 #
<b>Total Itemized Calls for SWBell Telephone (before taxes)</b>							<b>1</b>	<b>2.80</b>

**For Your Information**

**Busy summer? Three-Way Calling, Call Return and Auto Redial are already on your phone and very easy to use.**

Three-Way Calling, Auto Redial and Call Return, which are already on your phone and

Account Number  
417-869-2293-402-4  
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**Southwestern Bell**

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SWBell Telephone  
Billing Questions:  
1-800-585-7928

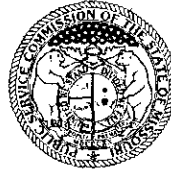
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*Commissioners*

SHEILA LUMPE  
Chair

HAROLD CRUMPTON

CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER  
Vice Chair

## Missouri Public Service Commission

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

GORDON L. PERSINGER  
Acting Executive Director  
Director, Research and Public Affairs

WESS A. HENDERSON  
Director, Utility Operations

ROBERT SCHALLENBERG  
Director, Utility Services

DONNA M. KOLILIS  
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 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.

Date: January 25, 1999



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Dale Hardy Roberts  
Secretary of the Commission

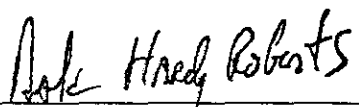
**STATE OF MISSOURI  
OFFICE OF THE PUBLIC SERVICE COMMISSION**

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 16TH day of SEPTEMBER, 1999.



  
\_\_\_\_\_  
**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**