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December 13, 1999

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Re: Case No. TC-2000-176

Dear Judge Roberts:

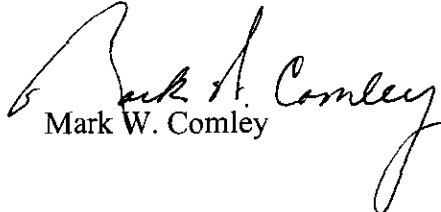
Enclosed you will find for filing with your office on behalf of Missouri Comm South, Inc. an original and fourteen copies of an Answer to Complaint and Motion to Strike.

Please call me if there are any questions. Thank you very much.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley

MWC:ab

Enclosure

cc: Office of Public Counsel
Bobby Glover
John W. Housley

FILED

DEC 13 1999

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

DEC 13 1999

Missouri Public
Service Commission

NIXA AREA E-911 BOARD,)
)
Complainant,)
)
vs.)
)
MISSOURI COMM SOUTH, INC.)
)
Respondent.)

Case No. TC-2000-176

ANSWER TO COMPLAINT

Comes now Comm South Companies, Inc. d/b/a Missouri Comm South, Inc., (hereinafter "MCS") by and through its attorneys, and submits its answer to the complaint, paragraph by paragraph, as follows:

1. MCS lacks information sufficient to form a belief as to the truth of the allegations in paragraph 1 and therefore denies the same.
2. MCS admits that it is a Texas corporation authorized to do business in the State of Missouri and is a regulated public utility under the jurisdiction of the Missouri Public Service Commission. Otherwise each and every allegation of paragraph 2 is denied.
3. MCS admits that it has properly charged and collected from Salvador R. Soto the tax due under §190.305 RSMo 1994. With respect to Exhibit "A" attached to the Complaint, for lack of information at the present time, Respondent cannot confirm the genuineness thereof and therefore denies that it is a copy of Mr. Soto's billing.
4. For lack of information sufficient to form a belief as to the truth of the allegations in paragraph 4, Respondent denies the same.
5. For lack of information sufficient to form a belief as to the truth of the allegations in paragraph 5, Respondent denies the same.

1

6. For lack of information sufficient to form a belief as to the truth of the allegations in paragraph 6, Respondent denies the same.

7. MCS admits that its representatives and those of Complainant have communicated about the obligations and requirements under applicable portions of Chapter 190, RSMo 1994 but otherwise denies the allegations of this paragraph.

8. MCS further answers that it denies each and every allegation contained in the Complaint that have not been specifically admitted in the above and foregoing paragraphs of this answer.

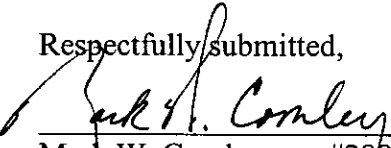
9. In further answer, and by way of affirmative defense, MCS states that it has offered to pay Respondent an estimate of tax due, and to file quarterly reports based upon the best information MCS now has available, pending MCS' installation and implementation of the appropriate facilities and computer software by which to submit fully detailed reports relating to E-911, and Complainant has unjustifiably refused to accept the estimated payments and reports.

10. In further answer, and by way of affirmative defense, MCS states that it has complied with, or substantially complied with, all statutory requirements.

WHEREFORE, having fully answered the Complaint, Respondent respectfully requests the Commission to dismiss the same.

Respectfully submitted,

By:

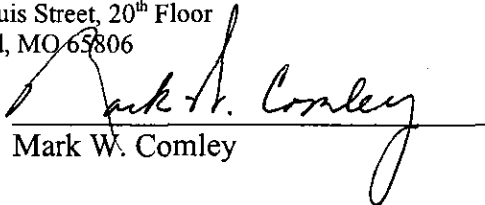

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Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand delivered, on this 13th day of December, 1999, to:

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

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Lowther, Johnson, Joyner,
Lowther, Cully & Housley
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Springfield, MO 65806


Mark W. Comley