

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 2nd
day of June, 1992.

Southwestern Bell Telephone,
100 No. Tucker Blvd., St. Louis,
Missouri 63101

)
)
)
)
)
)
)
)
)
)
)

¹Unless otherwise indicated, all dates hereafter occur in 1992.

Staff filed its formal recommendation on May 4, a copy of which was sent to all parties. Staff recommends that Mr. Bybee's complaint be dismissed, stating that in Staff's view, Southwestern Bell Telephone acted in a "reasonable manner."

The Commission has considered all relevant factors which Mr. Bybee, Company, and Staff have presented. Having done so, the Commission can perceive no substantial unresolved questions of fact in this matter; as a result, a formal on-the-record hearing to establish disputed facts is unnecessary. Taking the facts as alleged by Complainant, and confirmed by Respondent and by Staff's investigation, Mr. Bybee's complaint fails to allege facts which violate Respondent's tariff, or this Commission's rules or statutes.

Given Complainant's refusal to accept Respondent's offer of a new telephone number, and this Commission's lack of jurisdiction to award money damages or a "settlement," as prayed in Mr. Bybee's letter of April 21, the Commission has determined that Respondent's pending motion to dismiss this matter should be granted.

IT IS THEREFORE ORDERED:

1. That the motion to dismiss Case No. TC-92-182, filed by Respondent Southwestern Bell Telephone Company, on April 17, 1992, is hereby granted.
2. That this order shall be effective on June 12, 1992.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch
Perkins and Kincheloe, CC., Concur.