

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PATRICIA CONNER)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00220
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
)	
DEFENDANT)	

ORDER

On June 7, 2005, Patricia Connor filed with the Commission a formal complaint against BellSouth Telecommunications, Inc. (“BellSouth”) in which she alleges that the utility unlawfully denied service to her for a debt that is incorrectly attributable to her or that has been discharged in bankruptcy. In its Answer, BellSouth denied the allegations.

On its own motion, the Commission through the Commission Staff sought to investigate the complaint. On August 19, 2005, Commission Staff issued a request for information to each party. While BellSouth answered the request, Ms. Connor did not. On December 7, 2005, the Commission ordered Ms. Connor to respond to the request for information within 20 days or face dismissal of her complaint. As of this date, Ms. Connor has not responded to the request.

Applicants before an administrative agency have the burden of proof. Energy Regulatory Comm’n v. Kentucky Power Co., 605 S.W.2d 46, 50 (Ky.App. 1980). In this

instance, Ms. Connor has by her failure to comply with the request for information failed to meet her burden of proof.

Finding that Ms. Connor has failed to meet her burden of proof and that a hearing is not necessary in the public interest or for the protection of substantial rights, the Commission HEREBY ORDERS that this case is dismissed and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 19th day of May, 2006.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and flourishes, positioned above a horizontal line.

Executive Director