

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HAZEL C. TIBBS)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2007-00273
)	
1-800 RECONEX, INC. D/B/A U. S. TEL)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

1-800 Reconex, Inc. d/b/a U.S. Tel ("U.S. Tel") is hereby notified that it has been named as defendant in a formal complaint filed on July 3, 2007, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, U.S. Tel is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 11th day of July, 2007.

ATTEST:



Executive Director

By the Commission

gs

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
JUL 03 2007
PUBLIC SERVICE
COMMISSION

In the matter of:

Hazel C. Tibbs)
(Your Full Name))
COMPLAINANT)
VS.)
U.S. TEL TELEPHONE)
(Name of Utility))
DEFENDANT)

CASE NO.
2007-00273

COMPLAINT

The complaint of _____ respectfully shows:
(Your Full Name)

(a) Hazel C. Tibbs
(Your Full Name)

751 Kendrick Fk. Pikeville, KY 41501
(Your Address)

(b) U.S. TEL TELEPHONE
(Name of Utility)

CUSTOMER SER
1-800-418-6020

PO Box 9 Hubbard, OR 97032
(Address of Utility)

(c) That: Service went out 6-14-07 - REPORTED it on
(Describe here, attaching additional sheets if necessary,

6-14 - They said their Tech. would check it Fri 6-15-07
the specific act, fully and clearly, or facts that are the reason

He called me around 1 o'clock. MY PHONE WAS WORKING.
and basis for the complaint)
About four hrs. later, it was out again. I called Fri.
evening - Sat. - Sun. When I reached them on Mon.
I was told they were sorry, but no one would
Continued on Next Page

be sent out. It was my problem. They said to have
a certified electrician to check my house & send the findings

Formal Complaint

Hazel C. Tibbes vs. U.S. TEL

Page 2 of 2

to them. Then their Tech. would have a conference with
the Chat. I told him I had been without service for
5 days & now you tell ^{me} its my problem to get it fixed.
I told him he could cancel my service. Because
my husband has Cancer - I can't do without a phone.
Then I got a Bill from them for 109.⁰⁰ for their Tech. calling
me on the phone.
Wherefore, complainant asks since my service was paid through
(Specifically state the relief desired.)

June & my service was still in effect when they sent
their Tech. - 6-15 can they bill me this amount for
a phone call. I didn't cancel my service until 6-18
Bell South couldn't turn MY PHONE ON

Dated at Pikeville, Kentucky, this 02 day
(Your City)

of JUNE, 1907.
(Month)

Hazel C. Tibbes
(Your Signature)

(Name and address of attorney, if any)

Because the line was out approx 500 ft. below our house. I tried to explain to USTel - We didn't need Elect. - That a Retired Bell South Employee had checked our house. - on the inside.

USTel said we're ~~we're~~ very sorry but it's your problem. We won't be sending anyone out.

I sent my payment on 6-9 for 44.93. If I understand right they gave me credit for 12.54 cents. I had no service with them after the ~~18th~~ 18th of June maybe his last name was Jacob LUSTER

Our Bell south Repair man WAS GREY

I think these charges should be removed, since they didn't or wouldn't fix the service.

They never told me they would pay for an electrician to check my house or send anyone out to check outside - They said that was my problem.

Since I pay for these services, why would I be responsible for my line outside the house.

807 KAR 5:001. Rules of procedure.

Section 12. Formal Complaints.

(1) **Contents of complaint.** Each complaint shall be headed "Before the Public Service Commission," shall set out the names of the complainant and the name of the defendant, and shall state:

(a) The full name and post office address of the complainant.

(b) The full name and post office address of the defendant.

(c) Fully, clearly, and with reasonable certainty, the act or thing done or omitted to be done, of which complaint is made, with a reference, where practicable, to the law, order, or section, and subsections, of which a violation is claimed, and such other matters, or facts, if any, as may be necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall set forth definitely the exact relief which is desired (see **Section 15(1)** of this administrative regulation).

(2) **Signature.** The complaint shall be signed by the complainant or his attorney, if any, and if signed by such attorney, shall show his post office address. Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

(3) **Number of copies required.** At the time the complainant files his original complaint, he must also file copies thereof equal in number to ten (10) more than the number of persons or corporations to be served.

(4) Procedure on filing of complaint.

(a) Upon the filing of such complaint, the commission will immediately examine the same to ascertain whether it establishes a prima facie case and conforms to this administrative regulation. If the commission is of the opinion that the complaint does not establish a prima facie case or does not conform to this administrative regulation, it will notify the complainant or his attorney to that effect, and opportunity may be given to amend the complaint within a specified time. If the complaint is not so amended within such time or such extension thereof as the commission, for good cause shown, may grant, it will be dismissed.

(b) If the commission is of the opinion that such complaint, either as originally filed or as amended, does establish a prima facie case and conforms to this administrative regulation, the commission will serve an order upon such corporations or persons complained of under the hand of its secretary and attested by its seal, accompanied by a copy of said complaint, directed to such corporation or person and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of such order, provided that the commission may, in particular cases, require the answer to be filed within a shorter time.

(5) **Satisfaction of the complaint.** If the defendant desires to satisfy the complaint, he shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which he is willing to give. Upon the acceptance of this offer by the complainant and the approval of the commission, no further proceedings need be taken.

(6) **Answer to complaint.** If satisfaction be not made as aforesaid, the corporation or person complained of must file an answer to the complaint, with certificate of service on other parties endorsed thereon, within the time specified in the order or such extension thereof as the commission, for good

cause shown, may grant. The answer must contain a specific denial of such material allegations of the complaint as controverted by the defendant and also a statement of any new matter constituting a defense. If the answering party has no information or belief upon the subject sufficient to enable him to answer an allegation of the complaint, he may so state in his answer and place his denial upon that ground (see Section 15(2) of this administrative regulation).

807 KAR 5:001. Rules of procedure.

Section 15. Forms.

(1) In all practice before the commission the following forms shall be followed insofar as practicable:

- (a) Formal complaint.
- (b) Answer.
- (c) Application.
- (d) Notice of adjustment of rates.
- (2) Forms of formal complaint.
- (3) Form of answer to formal complaint.
- (4) Form of application.
- (5) Form of notice to the commission of adjustment of rates

Before the Public Service Commission

(Insert name of complainant))
Complainant)
vs.) No. _____
(Insert name of each defendant)) (To be inserted by
Defendant) the secretary)

COMPLAINT

The complaint of (here insert full name of each complainant) respectfully shows:

(a) That (here state name, occupation and post office address of each complainant).

(b) That (here insert full name, occupation and post office address of each defendant).

(c) That (here insert fully and clearly the specific act or thing complained of, such facts as are necessary to give a full understanding of the situation, and the law, order, or rule, and the section or sections thereof, of which a violation is claimed).

WHEREFORE, complainant asks (here state specifically the relief desired).

Dated at 7-2-07, Kentucky, this 2nd day
of July, 19 97.

Walter C. Tibbs
(Name of each complainant)

(Name and address of attorney,
if any)

USTel
PO Box 9
Hubbard OR 97032



Account Number:
Bill Date: 06/21/2007
Phone #: 606-432-8514
Date Due: Upon Receipt
Balance Due: 96.46
Amount Enclosed: _____

IRA TIBBS
751 KENDRICK FRK

PIKEVILLE KY 41501

USTel
PO Box 9
Hubbard OR 97032
Customer Service:
1-800-418-6020

Please return this portion of bill with your payment

Account:
Phone #: 606-432-8514
Date Due: Upon Receipt
Total Due: 96.46

IRA TIBBS
751 KENDRICK FRK

PIKEVILLE KY 41501

This is your final bill!

CHARGES and CREDITS

*I think this is unreasonable
for a phone call*

Prior Balance Due	44.93
Sales Tax, State	-0.71
Technician Dispatch Fee 06/15/07	109.00
Current Charges Summary	96.46
Check payment	-44.93
New Balance Due	96.46

Calls From/To 606-432-8514

06/01/2007 9:41AM	859-289-5244	1 FREE CARI	859-289-5244	1	0.00	06/05/2007 6:57PM	606-432-1581	MBR TO MBR	606-432-1581	13	0.00
06/11/2007 11:24AM	859-289-5244	1 FREE CARI	859-289-5244	1	0.00	06/12/2007 4:24PM	734-782-4688	4 FREE FLAT	734-782-4688	4	0.00
06/13/2007 3:47PM	859-289-5244	4 FREE CARI	859-289-5244	4	0.00						