COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SHIRLEY JACKSON	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 2005-00006
	)	
DIALOG TELECOMMUNICATIONS, INC.	)	
	)	
DEFENDANT	)	

ORDER TO SATISFY OR ANSWER

Dialog Telecommunications, Inc. ("Dialog") is hereby notified that it has been named as defendant in a formal complaint filed on December 13, 2004, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Dialog 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 12th day of January, 2005.

By the Commission

Commissioner W. Gregory Coker did not participate in the deliberations or decision concerning this case.

ATTEST:

Executive Director

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
DEC 13 2004
PSC Consumer Services

In the matter of:

Shirley Jackson
(Your Full Name)
COMPLAINANT

VS.

Dialog Comm.
(Name of Utility)
DEFENDANT

CASE
2005-00006

RECEIVED
DEC 13 2004
PUBLIC SERVICE COMMISSION

COMPLAINT

The complaint of Shirley Jackson (Your Full Name) respectfully shows:

(a) _____
(Your Full Name)

_____
(Your Address)

(b) _____
(Name of Utility)

_____
(Address of Utility)

(c) That: Shirley Jackson entered into a valid contract (oral) with Dialog Communications for the procurement of UNLIMITED long distance & local calling for the price of $60 dollars per month. Oral contracts are valid and enforceable - as much so as written

(Describe here, attaching additional sheets if necessary, the specific act, fully and clearly, or facts that are the reason and basis for the complaint.)

Continued on Next Page

Formal Complaint

_____ vs. _____

contracts - when the four basic elements of a contract are met. These four elements have been met. ① offer + acceptance. An offer was made by Dialog communicat. for UNLIMITED. local + long distance telephone calls. Shirley Jackson accepted. ② Consideration - consideratio is anything of value exchanged between two partie (continued on attached sheet)

Wherefore, complainant asks _____
(Specifically state the relief desired.)

_____

_____

_____

_____

Dated at Mayfield, Kentucky, this 6th day
(Your City)

of Dec. 6, 19 2004
(Month)

Shirley Jackson
(Your Signature)

_____
(Name and address of attorney, if any)

- Complaint Continued -

In this case, the consideration was money exchanged between Shirley Jackson & Dialog; in which Dialog has electronically drafted full payment from Mrs. Jackson's checking account. She has paid Dialog a total of 5 mo. at $66.00 since entering into a contract with Dialog on September 7, 2004.

③ The third element of a valid contract is competent parties. Mrs. Jackson is of sound mind and it can be assumed that Dialog communications cannot claim to be an incompetent party.

④ The final element is legal purpose, which only means that no part of the contract can be against the law. It is legal in the state of Kentucky to procure telephone service from any Local Exchange Carrier of their choice.

In conclusion, if Dialog Communications does not intend to offer their customers UNLIMITED local and long distance calling, then the word Unlimited must not be used. Dialog should offer plans similar to cellular telephone companies in which plans are sold by the minutes, or place a limit and tell each customer what that limit will be.

Before the Public Service Commission

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

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 Hec. Co, Kentucky, this _____ day of _____, 19 2004.

Shirley Jackson
(Name of each complainant)

_____
(Name and address of attorney, if any)