



**Martha Ross-Bain**  
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August 16, 2004

**RECEIVED**

AUG 16 2004

PUBLIC SERVICE  
COMMISSION

**BY OVERNIGHT DELIVERY**

Elizabeth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

RE: Complaint of American Federation of State, County, Municipal Employees  
Council 62 (AFSME Council 62) Against AT&T Communications of the South  
Central States, LLC  
Case No. 2004-00250

Dear Ms. O'Donnell:

Enclosed for filing in the above-referenced case are the original and ten (10) copies of the Answer of AT&T Communications of the South Central States, LLC. Please indicate receipt of this filing by your office by placing a file stamp on the extra copy and returning to me in the enclosed, self-addressed stamped envelope.

If you have questions, please call me. Thank you for your attention to this matter.

Respectfully submitted,

Martha Ross-Bain

cc: All parties of record

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

AUG 16 2004

PUBLIC SERVICE  
COMMISSION

In The Matter of:

Complaint of America Federal )  
Of State, County, Municipal Employees )  
Council 62 (AFSME Council 62) )  
Against AT&T Communications of the )  
South Central States, LLC )

CASE NO. 2004-00250

**ANSWER OF AT&T COMMUNICATIONS OF THE SOUTH  
CENTRAL STATES, LLC**

Defendant AT&T Communications of the South Central States, LLC ("AT&T") hereby answers the Complaint of Complainant American Federation of State, County, Municipal Employees Council 62 (AFSME Council 62) as follows:

**FIRST DEFENSE**

1. AT&T admits so much of the Complaint as alleges in Paragraph (b) that it is the utility involved in this Complaint.
2. AT&T admits so much of the Complaint as alleges in Paragraph (c) that Complainant's telephone number (502) 363-4074 commenced billing with the 9/22/03 bill at the rate of \$ 0.99 per minute, which increased to \$ 4.49 per minute in February 2004; that in March 2004 the AT&T long distance service was cancelled by Complainant; and that Complainant's requests to change the amount billed were denied, with the exception of the amount of \$ 921.62, a good faith credit given to the customer in an effort to achieve a satisfactory resolution of this issue. AT&T lacks sufficient knowledge, information or belief to admit or deny the remaining allegations of Paragraph (c) and therefore denies same.

3. With regard to the relief requested, AT&T admits that the billing detail is not disputed, only the rate per call, but denies the remaining allegations.

4. AT&T lacks sufficient knowledge, information or belief to admit or deny the remaining allegations of the Complaint and therefore denies same.

### **SECOND DEFENSE**

5. The allegations of Paragraphs 1-4 are repeated and incorporated by reference herein.

6. In connection with the allegations of the Complaint, it is apparent that Complainant moved and did not contact AT&T to set-up a discount plan; indeed the allegations of Paragraph (c) make clear that the Complainant relied upon BellSouth, its local phone service provider, to set up the new service with AT&T. The customer did not request a discounted plan and as set forth in the attachment to the Complaint, received and paid for bills from 9/22/03 until 1/22/04 at the non-discounted rate. It is the customer's error so no adjustments are due to Complainant; however, AT&T did provide a courtesy adjustment on 3/16/04 in the amount of \$921.62, applied to the 12/22/03 bill.

7. The current balance due by Complainant on this account is \$2,163.16. This represents the unpaid amount due (\$ 3,084.78 minus the courtesy adjustment of \$ 921.62).

### **THIRD DEFENSE**

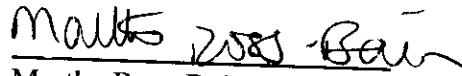
8. The allegations of Paragraphs 1- 7 are repeated and incorporated by reference herein.

9. AT&T is currently investigating the disputed amount of intrastate calls and the amount billed for interstate calls and will file an amended answer with this information.

WHEREFORE, having fully answered Complainant's Complaint, AT&T requests that the same be dismissed with prejudice.

Respectfully filed this the 16<sup>th</sup> day of August 2004.

Respectfully submitted,

A handwritten signature in black ink that reads "Martha Ross-Bain". The signature is written in a cursive style and is positioned above a horizontal line.

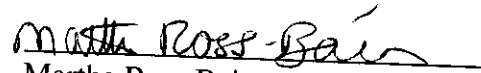
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*Counsel for AT&T Communications of the South Central States, LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Answer to the Complaint of Complainant American Federation of State, County, Municipal Employees Council 62 (AFSME Council 62) filed on behalf of AT&T Communications of the Southern States, LLC, was served upon all parties of record this 16<sup>th</sup> day of August, 2004.

  
Martha Ross Bain

Roger E. Poer  
Controller  
AFSCME Council 62  
2210 Goldsmith Lane, #204  
Louisville, Kentucky 40218

John F. Stewart  
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