

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ASSOCIATES IN DERMATOLOGY, PLLC	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2019-00047
	)	
BELLSOUTH TELECOMMUNICATIONS, LLC	)	
	)	
DEFENDANT	)	

ORDER

Bellsouth Telecommunications, LLC, dba AT&T Kentucky (AT&T Kentucky) is hereby notified that it has been named as the defendant in a formal complaint (Complaint) filed on February 1, 2019, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 20, AT&T Kentucky is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within fifteen days from the date of entry 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. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so personal information cannot be read.

By the Commission

ENTERED  
MAY 07 2019  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

*For [Signature]*  
\_\_\_\_\_  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2019-00047 DATED **MAY 07 2019**

SIX PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Associates in Dermatology, PLLC )  
(Your Full Name) )  
COMPLAINANT )

VS.

AT&T )  
(Name of Utility) )  
DEFENDANT )

RECEIVED

FEB 01 2019

PUBLIC SERVICE  
COMMISSION

COMPLAINT

The complaint of Associates in Dermatology, PLLC respectfully shows:  
(Your Full Name)

(a) \_\_\_\_\_  
(Your Full Name)

38109 Springhurst Blvd, Suite 200 Louisville, KY 40241  
(Your Address)

(b) AT&T  
(Name of Utility)

208 S. Akard St, Dallas, TX 75202  
(Address of Utility)

(c) That: See Attachment  
(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

Associates in Dermatology, PLLC vs. AT+T

Page 2 of 2

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated at Louisville, Kentucky, this 28 day  
(Your City)

of January, 20 19.  
(Month)

PATRICK T. SCHMIDT  
401 W. MAIN STREET, SUITE 1400  
LOUISVILLE KY 40202  
(Name and address of attorney, if any)

*Patrick T. Schmidt*  
(Your Signature\*)

1/28/19  
Date

\*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.



## Associates In Dermatology, PLLC

J. P. Callen, MD  
C. L. Kulp-Shorten, MD  
J. B. Burruss, MD  
K.O. Donovan, MD  
S. M. McAllister, MD  
T. S. Brown, MD  
J. C. Malone, MD  
A. L. Knable, Jr., MD

A. A. Hayden, MD  
S. Bahrami, MD  
C. E. Owen, MD  
S.K. Burton, M.D.  
C. R. Schadt, MD  
M. W. McCall, Jr., MD  
M. T. Haeberle, MD

A.D. Brown, MD  
S. Elrod, MSN, FNP-C, APRN  
K. West-Pfingston, MSN, FNP-C, APRN  
M. Carter, PA-C  
M. Atkinson, PA-C  
E. Morton, PA-C  
M. Davis, PA-C  
K. Mudd, PA-C

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January 28, 2019.

Public Service Commission  
211 Sower Blvd  
P.O. Box 615  
Frankfort, KY 40602-0615

RE: Formal Complaint Against AT&T

To Whom it May Concern,

The purpose of this letter is to outline the horrendous experiences Associates in Dermatology, PLLC, hereinafter referred to as AID, whose primary office location is 3810 Springhurst Blvd, Suite 200, Louisville, KY 40241 has been subject to through faulty and deceptive business agreements with AT&T.

Dating back to 2014 AID has entered into contracts with AT&T that have gone unfulfilled as a direct result of AT&T not executing their portion of the agreements. For years AID was billed for services no longer in use, and has been persuaded into new agreements for updated service when old services were never terminated by AT&T.

AT&T's atrocious and often nonexistent customer service has only complicated matters. Our current account manager, Timothy Whitlock, has gone AWOL since not attending a phone conference that he arranged on December 20<sup>th</sup>, 2018. Unfortunately, this is normal behavior for our AT&T account managers. In the last five years we have had no less than three account managers, none of whom have effectively or efficiently managed our concerns.

**3810 SPRINGHURST BLVD., SUITE 200, LOUISVILLE, KY 40241**  
**PHONE: (502) 583-1749 \* FAX: (502) 329-7599**

2241 GREEN VALLEY RD., NEW ALBANY, IN 47150  
PHONE: (812) 948-1148 \* FAX: (812) 948-0032

325 W. Walnut St., Ste. 300, Lebanon, KY 40033  
10302 Brookridge Village Blvd., Ste. 102, Louisville, KY 40291  
114 Manor Drive Suite 3, Bardstown, KY 40004

130 Stonecrest Rd., Ste. 104, Shelbyville, KY 40065  
3 Audubon Plaza Dr., Ste. 630, Louisville, KY 40217  
908 Wallace Avenue, Leitchfield, KY 42754

## Associates In Dermatology, PLLC

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E. Morton, PA-C  
M. Davis, PA-C  
K. Mudd, PA-C

AID is owed tens of thousands of dollars in refunds for over billing, or billing on accounts that should have been terminated. To date we have not been issued a refund on any account that holds a credit. Representatives from AID have routinely sent the necessary documentation to each AT&T account manager assigned to us. Time after time we are told our concerns are being investigated, or been given conflicting information on how to receive our refunds. This has been going on since March, 2018.

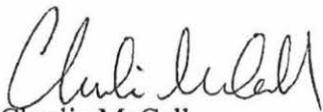
As medical practice, serving over 100 patients each day, it is essential to maintain reliable access to our phone and internet service. AID has regularly received disconnect notices threatening to terminate services on accounts after we have sent multiple request not to terminate specific accounts. In addition, there are other accounts which we have requested be terminated, yet continued receive bills for months after our requests were sent and received.

We have stressed the importance of keeping our services in place until we are first, released from our contracts due to AT&T's failure to perform, and second, setup utility access with a new service provider. To date, we have not been able to get exact dates on when our contracts with AT&T terminate. We have requested that information on multiple occasions.

It is the desire of Associates in Dermatology, PLLC to immediately be released from all contracts with AT&T, as well as have the full amount of all credits issued as soon as possible. AT&T is aware of our requests as we have made them formally in writing several times in the last year.

Please contact me with any questions or concerns. I can be reached by phone, 502-625-2221, or email, [cmccall@associatesindermaotlogy.com](mailto:cmccall@associatesindermaotlogy.com)

Sincerely,



Charlie McCall  
Financial Manager  
Associates in Dermatology, PLLC  
3810 Springhurst Blvd, Suite 200  
Louisville, KY 40241

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908 Wallace Avenue, Leitchfield, KY 42754



**Matthew G. Bevin**  
Governor

**Charles G. Snavey**  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

**Michael J. Schmitt**  
Chairman

**Robert Cicero**  
Vice Chairman

**Talina R. Mathews**  
Commissioner

January 15, 2019

Mr. Alan Appel  
Associates of Dermatology  
3810 Springhurst Boulevard, Suite 200  
Louisville, KY 40241

Dear Mr. Appel:

Enclosed is a copy of the Commission's administrative regulations outlining the procedures for filing a formal complaint. Please complete the forms and return them to the above-listed address. You can call our hotline at 1-800-772-4636 with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Rosemary Tutt".

Rosemary Tutt, Manager  
Consumer Services Branch

Enclosure

- (1) **Contents of complaint.** Each complaint shall be headed "Before the Public Service Commission," shall establish 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; and
  - (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, if practicable, to the law, order, or administrative regulation section and subsection, of which a violation is claimed, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall specifically establish the relief desired.
- (2) **Signature.** The complaint shall be signed by the complainant or his or her attorney, if applicable, and if signed by an attorney, shall show the attorney's post office address. **A complaint by a corporation, association, or another organization with the right to file a complaint, shall be signed by the entity's attorney.**
- (3) **Number of copies required.** When the complainant files his or her original complaint, the complainant shall also file two (2) more copies than the number of persons or corporations to be served.
- (4) **Procedure on filing of complaint.**
  - (a) Upon the filing of a complaint, the commission shall immediately examine the same to ascertain if it establishes a prima facie case and conforms to this administrative regulation.
    1. 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, the commission shall notify the complainant or his or her attorney to that effect, and opportunity shall be given to amend the complaint within a specified time.
    2. If the complaint is not amended within the time or the extension as the commission, for good cause shown, shall grant, the complaint shall be dismissed.
  - (b) If the complaint, either as originally filed or as amended, establishes a prima facie case and conforms to this administrative regulation, the commission shall serve an order upon the person complained of, accompanied by a copy of the complaint, directed to the person complained of 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 the order, provided that the commission may, in particular cases, require the answer to be filed within a shorter or longer period.
- (5) **Satisfaction of the complaint.** If the defendant desires to satisfy the complaint, he or she shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which the defendant is willing to give. Upon the acceptance of this offer by the complainant and with the approval of the commission, further proceedings shall not be taken.
- (6) **Answer to complaint.** If the complainant is not satisfied with the relief offered, the person complained of shall file an answer to the complaint, with certificate of service on other endorsed parties, within the time specified in the order or the extension as the commission, for good cause shown, shall grant.
  - (a) The answer shall contain a specific denial of the material allegations of the complaint as controverted by the defendant and also a statement of new matter constituting a defense.
  - (b) If the answering party does not have information sufficient to enable him or her to answer an allegation of the complaint, the answering party may so state in the answer and place the denial upon that ground.

Alan Appel  
3810 Springhurst Blvd., Suite 200  
Associates of Dermatology, PLLC  
Louisville, KENTUCKY 40241

\*BellSouth Telecommunications, LLC dba AT&T  
Meidinger Tower  
462 S 4th Street, Suite 2400  
Louisville, KY 40202

\*Hood Harris  
President  
AT&T Communications of the South Central  
601 W. Chestnut St.  
Room 408  
Louisville, KY 40203