

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KIPLEY J. MCNALLY, PLC)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2022-00323
)	
BELL SOUTH TELECOMMUNICATIONS, INC.)	
D/B/A AT&T KENTUCKY)	
)	
DEFENDANT)	

ORDER

On September 6, 2022, Kipley J. McNally, PLC (McNally) filed a complaint alleging that Bell South Telecommunications, Inc. d/b/a AT&T Kentucky (AT&T Kentucky) overbilled for services either not provided or for features that were not functional. By Order issued November 14, 2022, the Commission determined that pursuant to 807 KAR 5:001, Section 20(4)(a), McNally had not established a *prima facie* case but was entitled to an opportunity to amend its complaint within 20 days of service of the Order.

On December 2, 2022, McNally filed a motion to voluntarily dismiss its complaint without prejudice, stating that AT&T Kentucky “ha[d] made satisfactory adjustments to McNally’s account.”¹ Further, McNally stated that “McNally’s multiple complaints regarding rates and services [had been resolved].”²

¹ Motion to Voluntarily Dismiss (filed Dec. 2, 2022) at 1, paragraph 1.

² Motion to Voluntarily Dismiss (filed Dec. 2, 2022) at 1, paragraph 3.

After reviewing McNally's motion and being sufficiently advised, the Commission finds that McNally's complaint should be dismissed without prejudice based on McNally's representation that it has satisfactorily resolved its complaint with AT&T Kentucky.

IT IS THEREFORE ORDERED that:

1. The complaint is dismissed without prejudice.
2. The case is closed and shall be removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner



ATTEST:


Executive Director

Chris Timmermans
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