

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Robert Finch vs. U.S. Tel) DOCKET NO. 06-2224-02
) REPORT AND ORDER
)

ISSUED: June 28, 2006

By The Commission:

On February 8, 2006, Complainant Robert P. Finch filed a formal complaint against Respondent U.S. Tel disputing a \$179.00 bill he had received from Respondent for a “Trip Fee” and “Technician Dispatch Fee” related to a service call allegedly requested by Complainant. Also on February 8, 2006, Respondent filed its response via email arguing the disputed charges were levied in accordance with Respondent’s Commission-approved tariff.

On March 8, 2006, the Division of Public Utilities (“Division”) filed a memorandum detailing its investigation of this matter and recommending the Commission schedule a hearing.

On March 14, 2006, the Commission issued a Notice of Hearing setting a hearing with the Administrative Law Judge for April 6, 2006.

On March 17, 2006, Complainant requested the Commission seek information from Qwest Corporation (“Qwest”) concerning Qwest’s involvement with the service call leading to the disputed charges in this matter. On March 27, 2006, Complainant notified the Commission that Respondent had forwarded his unpaid bill, including the disputed charges, to a collection agency.

On April 5, 2006, the Commission was informed of a tentative resolution of the parties' dispute and therefore issued a Notice of Cancellation of Hearing cancelling the April 6, 2006, hearing pending receipt of additional information from the parties.

On June 28, 2006, Complainant informed the Commission the matter appears to have been resolved and may therefore be dismissed.

Wherefore, based upon the foregoing information, and for good cause appearing, the Administrative Law Judge enters the following proposed

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The complaint filed herein is dismissed.
2. Pursuant to Utah Code §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 28th day of June, 2006.

/s/ Steven F. Goodwill
Administrative Law Judge

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Approved and Confirmed this 28th day of June, 2006, as the Report and
Order of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
GW#49557

