

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Complaint of)
DIVERSIFIED MORTGAGE)
SERVICES, INC.,)
Complainant)
vs.)
AT&T COMMUNICATIONS,)
INC., Respondent)

DOCKET NO. 00-087-02

REPORT AND ORDER

ISSUED: August 9, 2000

SYNOPSIS

Respondent having defaulted, the Commission granted the relief prayed for.

By the Commission:

PROCEDURAL HISTORY

Complainant above-named filed its complaint March 29, 2000, and Respondent failed to file any response within the time required by Commission rule. Despite repeated contacts by the Commission Secretary, Respondent has continued to ignore the complaint and has not answered the same. Accordingly, Respondent's default is entered. The Administrative Law Judge, having been fully advised in the premises, now enters the following Report, containing proposed findings of fact, conclusions of law, and the Order based thereon.

FINDINGS OF FACT

1. Complainant is a commercial customer of Respondent, a telephone corporation certificated by this Commission.
2. Complainant alleges that after signing a contract with Respondent for local exchange service, under the terms of which (or according to representations of Respondent's servants), Respondent was to reimburse Complainant for expenses and/or claims by Complainant's existing carrier resulting from the changeover, Respondent has ignored its obligations and has not responded in any concrete way to resolve the issues. By way of relief, Complainant seeks a meeting with a responsible officer of Respondent to resolve the issues between the parties.

CONCLUSIONS OF LAW

The Commission has party and subject-matter jurisdiction. Complainant is entitled to the relief it seeks.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. Respondent contact Complainant within 10 days of the date of this Order to set up a meeting between responsible representatives of Respondent and Complainant for the purpose of resolving the issues raised in the Complaint. Respondent shall promptly report to the Commission the result of said meeting, and the Commission shall retain jurisdiction to convene further proceedings in this matter should the Commission find such proceedings to be warranted.

2. Failure to comply with this Order within the time set shall result in the issuance of an Order to Show Cause directed against Respondent with a view to the imposition of administrative sanctions.

3. Any party wishing to contest this Order may file a written petition for review within 20 days of the date of this Order. Failure so to do will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 9th day of August, 2000.

/s/ A. Robert Thurman
Administrative Law Judge

Approved and Confirmed this 9th day of August, 2000, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary