

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Martin Cruz against AT&T Communications) DOCKET NO. 09-087-01
of the Mountain States, Inc.) REPORT AND ORDER

ISSUED: May 26, 2009

By The Commission:

This matter is before the Commission on Martin Cruz's formal complaint against AT&T (Company). Mr. Cruz disputes a \$149 premise visit charge on his October 2008 telephone bill. There was a charge for \$60 for a half-hour visit, which Mr. Cruz did not dispute. The \$149 charge is for the other ½ hour the technician was present at the home. He said he neither requested nor authorized the service that resulted in this \$149 charge.

The Company filed its response to the Complain on April 8, 2009. It stated that Mr. Cruz requested that a jack in a bedroom be repaired. Mr. Cruz was advised that there would be a charge for jack repair, and that any furniture had to be removed from the location where the work was to be repaired. When the technician arrived, the bed prevented the technician from accessing the jack to be repaired. Apparently, the technician did other work which was approved on October 3, 2008. Neither the Division nor the company detailed what "other work" was done. Mr. Cruz contended that his son stated that the technician "showed up, stayed in the truck, and then left again", but never came in the house. The Company, however, produced a work order, which Mr. Cruz's son signed. The work order clearly stated that "by signing below you are accepting the installation/repair as performed" Additionally, the work order states that the

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technician arrived at “16:00 hours and left at 17:00 hours”—a period of one hour. It appears that the \$149 charge for the additional half hour is correctly billed.

Therefore, the Commission finds that there has been no violation of Utah law, Commission Rules, or the Company’s tariff, and the Complaint should be dismissed.

ORDER

Mr. Cruz’s formal complaint is hereby dismissed.

DATED at Salt Lake City, Utah, this 26th day of May, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 26th day of May, 2009 as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#61985