

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Russell Riggs against South Central) DOCKET NO. 09-052-01
Communications) ORDER
)

ISSUED: October 20, 2009

By The Commission:

This matter is before the Commission on South Central Communication, Inc.'s (Company) Motion to Vacate and/or Continue Hearing. The Complainant, Russell Riggs, filed with the Commission an updated formal complaint (Amended Complaint) on September 8, 2009. Mr. Riggs, however, failed to serve that Amended Complaint upon the Company. The Company received a copy of the Amended Complaint on October 14, 2009, when the Commission served a copy on the Company's attorney. The Company correctly asserts that it must be given a copy of that Amended Complaint when given to the Commission, *See Utah Code Ann. § 63G-4-201-(3)(a)-(b)*, and must be given 30 days from the date of service to respond to the Amended Complaint. *See Utah Admin. R. 746-100-4(D)*. The Company received a copy of the Amended Complaint on October 14, 2009 from the Commission. Thirty days after that date would be November 13, 2009. Therefore the Company must be given at least until November 13, 2009 to respond to Mr. Riggs' Amended Complaint. **The Commission must continue the hearing set for October 22, 2009 until after November 13, 2009.**

ORDER

1. The hearing is hereby continued and may be reset by the Commission pending the Company's response.

2. In addition to other issues in the Amended Complaint to which it responds, the Company shall specifically respond to the following concerns in Mr. Riggs’

Amended Complaint:

- 1) Why did this issue take so long to resolve? Why did it take a formal complaint to the Commission and over 4 months of time since the first complaint to get the phone company to return my phone calls or to make contact with me as they told Mr. Hudson they would?
- 3) . . . [H]ow can the phone company charge me over \$6.00 per foot installation and yet only charge the Barney residence less than \$1.40 per foot?”

Amended Complaint of Russell Riggs, ¶ 5.

DATED at Salt Lake City, Utah this 20th day of October, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Attest:

/s/ Julie Orchard
Commission Secretary
G#64052