



Public Service Commission

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-M-E-M-O-R-A-N-D-U-M-

RECORDS AND REPORTING

AUG - 5 AM 9:32

RECEIVED-PSC

DATE: AUGUST 5, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK*
 DIVISION OF CONSUMER AFFAIRS (STOKES) *Stokes*
 DIVISION OF COMMUNICATIONS (BARRETT) *JCC for MB*

RE: DOCKET NO. 990193-TP - COMPLAINT BY ATNEX COMPUTER CORP. AGAINST BELL SOUTH TELECOMMUNICATIONS, INC. REGARDING BILLING DISPUTE.

AGENDA: AUGUST 17, 1999 - REGULAR AGENDA - PROCEDURAL MATTER - CLOSE DOCKET - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\990193CL.RCM

CASE BACKGROUND

On October 2, 1998, Mr. Larry Goodman filed a complaint with the Commission's Division of Consumer Affairs (CAF) against BellSouth Telecommunications, Inc. (BellSouth) on behalf of his company, Atnex Computer Corporation. Mr. Goodman asserted that he had contracted with BellSouth for a T-1 line to be installed for his business, ComputerEase Associates. He noted that ComputerEase merged with Atnex Computer Corporation on April 28, 1998, with the surviving company being Atnex. Mr. Goodman claimed that the line was not installed properly and as a result, he was without service for a period of six months. Mr. Goodman also disputed his service charges and claimed that BellSouth did not send notice of disconnection of his service.

In its response, BellSouth stated that its records showed that the lines had been installed properly and were the circuit type and speed requested by the customer. BellSouth also believed that it

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properly disconnected Mr. Goodman's service for an unpaid balance on his Club Account.

By Order No. PSC-99-0537-PCO-TP, issued March 23, 1999, this matter was set for hearing. By Order No. PSC-99-0979-PCO-TP, issued May 14, 1999, the procedure for this docket was established, including the controlling dates for this proceeding. By Order No. PSC-99-1216-PCO-TP, issued June 18, 1999, the hearing was rescheduled for September 13, 1999. On July 19, 1999, BellSouth indicated that it had reached a settlement with Mr. Goodman. Thereafter, on July 22, 1999, Mr. Goodman filed a notice of withdrawal of his complaint on behalf of Atnex.

This is staff's recommendation to acknowledge withdrawal of the complaint and close the docket.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge withdrawal of Atnex's complaint and close this docket?

RECOMMENDATION: Yes. The Commission should acknowledge withdrawal of Atnex's complaint and close this Docket.

STAFF ANALYSIS: As stated in the Case Background, BellSouth indicated on July 19, 1999, that it reached a settlement with Mr. Goodman. On July 22, 1999, Mr. Goodman withdrew his complaint on behalf of Atnex. No other matters remain for the Commission to address; therefore, staff recommends that this Docket be closed.