

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by ATNEX
Computer Corp. against BellSouth
Telecommunications, Inc.
regarding billing dispute.

DOCKET NO. 990193-TP
ORDER NO. PSC-99-1750-FOF-TP
ISSUED: September 7, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER ACKNOWLEDGING WITHDRAWAL OF COMPLAINT
AND CLOSING DOCKET

BY THE COMMISSION:

On October 2, 1998, Mr. Larry Goodman filed a complaint with our 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. Mr. Goodman further claimed that he also requested service for three other accounts, Workforce, Federal Fabrication, and Lantana Peat, from BellSouth. He indicated that service was also unsatisfactory on these accounts due to improper installation of the lines ordered.

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

DOCUMENT NUMBER-DATE

10678 SEP-7 99

FPSO-RECORDS/REPORTING

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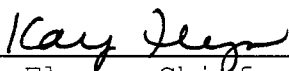
By Order No. PSC-99-0537-PCO-TP, issued March 23, 1999, we set this matter for hearing. By Order No. PSC-99-0979-PCO-TP, issued May 14, 1999, we established the procedure for this docket, including the controlling dates for this proceeding. By Order No. PSC-99-1216-PCO-TP, issued June 18, 1999, the hearing 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. With the withdrawal of the complaint, no other matters remain for us to address in this Docket. Therefore, we hereby acknowledge withdrawal of the complaint and close this Docket.

It is, therefore

ORDERED by the Florida Public Service Commission that Docket No. 990193-TP is closed.

By ORDER of the Florida Public Service Commission this 7th Day of September, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting



Kay Flynn, Chief
Bureau of Records

(S E A L)

BK

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

Requisition for Photocopying and Mailing

Number of Originals 3 Date 9, 9, 99 Copies Per Original 19
Requested By Ruth

Item Presented
Agenda For (Date) _____ Order No. 99-1750 In Docket No. 990193
Notice of _____ For (Date) _____ In Docket No. _____
Other _____

Special Handling Instructions

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<u>19</u>	<u>Commission Offices</u>	<u>--</u>	_____
<u>2</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
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Job Number 137 Verified By Michelle
Date and Time Completed 9/16 Job Checked For Correctness and Quality (Initial) SM

Mail Room Verification

Date Mailed / Verified By /

4.15
MEMORANDUM

September 7, 1999

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99 SEP -7 AM 11:13

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) ^{B/K} *KB*

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

FOF-1750

Attached is an ORDER ACKNOWLEDGING WITHDRAWAL OF COMPLAINT AND
CLOSING DOCKET, to be issued in the above-referenced docket.
(Number of pages in order - 3)

BK/anc
Attachment
cc: Division of Communications
I: 990193co.bk

2/0