STATUS REPORT

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

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STEPHANIE MILLER

DAVID SCHUNKE

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WORKING FILE

FROM:WAYNE HART

DATE:MAY 22, 1997

RE:COMPLAINT OF ROCKY MOUNTAIN COMMUNICATIONS, INC.

VS U S WEST COMMUNICATIONS, INC.; USW-T-98-4.

BACKGROUND

On April 23, 1998, the Commission received a complaint from Rocky Mountain Communications, Inc. (RMC) filed through its attorney, Ronald  L. Williams, regarding billings that RMC has received from U S WEST Communications, Inc. (U S WEST).  RMC claims it had been billed for services at rates exceeding the rates on file with this Commission, and the total amount of the excess billings was more than $108,000.  The complaint included a billing analysis compiled by RMC identifying what it maintained should have been the correct charges for the services it received, and what it was billed by U S WEST.

At the May 6 Decision Meeting, the Commission decided to handle this case on an informal basis and directed Staff to report back within two weeks on the progress that had been made in resolving the issues identified in the complaint.

STAFF ANALYSIS

Staff participated in a conference call with Michael Lukes of RMC and Ron Anderson of U S WEST on Thursday, May 7.  Each of the issues identified in the complaint were addressed one by one.  For the most part, U S WEST accepted RMC claims of billing errors, and granted the credits that had been identified by RMC.  In a few instances, U S WEST provided additional information to clarify why a billing was correct, which was accepted by Mr. Lukes.  In at least one other case, U S WEST’s analysis had identified even more credit was due to RMC than RMC had claimed.  At the end of the call, Mr. Lukes indicated he would be satisfied if the credits agreed to during the conference call were actually provided and if the next U S WEST billing received by RMC did not contain further errors.

On Thursday, May 21, Staff met with Mr. Lukes again and he indicated that the next round of billings had been received, and, as near as he could tell, the credits to which the parties had agreed on May 7 had been provided.  In addition, he believes the billings did not contain any additional errors, but were an accurate billing for the services that U S WEST provided.

RMC raised additional billing issues for data line services which were not identified in RMC’s complaint at the meeting on May 7.  Staff agreed to provide the same type of assistance and participate in an additional conference call to address the new issues.  That conference call has been scheduled for May 28.

STAFF RECOMMENDATION

Staff believes that all of the issues that were raised in the complaint filed by RMC have been adequately addressed, and that no further action on the item raised in the complaint is necessary.  Staff will participate in the May 28 conference call to address the new issues raised by RMC.

Wayne Hart

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