

Decision No. R04-0452-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04F-209T

CATHEY ELLIS,

COMPLAINANT,

V.

QWEST CORPORATION,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
KEN F. KIRKPATRICK
DENYING REQUEST FOR IMMEDIATE
REINSTATEMENT OF SERVICE**

Mailed Date: April 29, 2004

I. STATEMENT

1. This complaint was filed on April 28, 2004. It involves service to the Complainant Cathey Ellis on telephone no. 303-420-3636. Ellis alleges that she purchased at least a portion of a moving business, including the phone numbers that are listed in Qwest Dex. The phone number was originally transferred, but the seller and the Complainant had a falling out and the seller canceled telephone service.

2. The complaint is not verified. The exact nature of the relationship between the seller of the moving business and the Complainant is unclear. Complainant has telephone service, just not the number that is listed in the phone book under the seller's business.

3. The Commission does have the authority to order that service be provided pending the resolution of a complaint. However, that is warranted typically where the Complainant is without service of any sort and needs it. In this instance, it is unclear who has the right to the telephone number. In addition, the Complainant has service. There is an insufficient basis upon which the undersigned could order that telephone no. 303-420-3636 be connected for the Complainant at the Complainant's address.

II. ORDER

A. It Is Ordered That:

1. The request that telephone no. 303-420-3636 be reconnected immediately pending resolution of the complaint is denied.
2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge

