

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

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UCB 1

MICHAEL THOMPSON, dba BARK	)
TIME LANDSCAPE SUPPLY	)
	)
Complainant,	)
	)
vs.	)
	)
QWEST CORPORATION,	)
	)
Defendant.	)

ORDER

DISPOSITION: COMPLAINT DISMISSED; DOCKET CLOSED

This complaint was filed with the Public Utility Commission of Oregon (Commission) on March 27, 2002. The Complainant, Michael Thompson, dba Bark Time Landscape Supply, alleged that the Defendant, Qwest Corporation (Qwest), improperly disconnected his market expansion line and billed him incorrectly for advertising in the DEX directory.

On April 11, 2002, Qwest filed an answer denying the allegations in the complaint and raising affirmative defenses. On June 10, 2002, Qwest filed a motion to dismiss the complaint, asserting that DEX charges are unregulated and outside the jurisdiction of the Commission.

On July 25, 2002, Complainant filed a letter requesting dismissal of his complaint. Mr. Thompson indicates that he does not intend to pursue his claim relating to the market expansion line. His only remaining concern relates to the effect that any remaining DEX charges may have upon his credit record.

On July 29, 2002, Qwest filed a reply and motion to dismiss. Qwest again asserts that DEX charges are unregulated and outside the jurisdiction of the Commission.

The Commission finds that the complaint should be dismissed. The only remaining issue relates to DEX charges which, as Qwest correctly observes, are outside the jurisdiction of the Commission. Mr. Thompson must pursue any remedies for DEX charges in another forum.

**ORDER**

**IT IS ORDERED** that the complaint filed by Michael Thompson, dba Bark Time Landscape Supply, against Qwest Corporation is dismissed.

Made, entered, and effective \_\_\_\_\_.

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**Roy Hemmingway**  
Chairman

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**Lee Beyer**  
Commissioner

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**Joan H. Smith**  
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.