

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



Ned Meislin,

Complainant,

vs.

Pacific Bell Telephone Company, doing business as  
AT&T California (U1001C),

Defendant.

**ECP**

Case No. 07-05-031

Certified Mail

7007 0220 0001 7823 7059

**INSTRUCTIONS TO ANSWER AND HEARING NOTICE**

SBC California  
Attn.: Jerry Flynn  
Executive Director - State Regulatory  
525 Market Street, Room 1801  
San Francisco, CA 94105

Ned Meislin  
P. O. Box 3783  
Manhattan Beach, CA 90266

To Defendant and Complainant:

The Defendant is hereby notified that the above-entitled complaint was filed against you as defendant on . . . . .  
You are directed to answer the complaint in writing within 20 days after today. The answer shall be in compliance with Rule 4.4 of the Commission's "Rules of Practice and Procedure." Your answer shall be sent to California Public Utilities Commission, Attn.: Docket Office, 505 Van Ness Avenue, San Francisco, CA 94102.

**HEARING NOTICE**

Complainant and defendant must appear at the hearing set before Administrative Law Judge Robert Barnett, on **August 24, 2007, at 11:00 a.m., at the Junipero Serra State Office Building, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, California.** At that time you must be fully prepared to present your case. Failure of the complainant to appear at the time and place herein noted or to contact the ALJ to reschedule the hearing may be grounds for the ALJ to recommend dismissal of the complaint.

If you have questions about the hearing date, time, or place, call the Calendar Clerk at (415) 703-1203.

Dated at San Francisco, California this 31th day of May, 2007.

/s/ ANGELA K. MINKIN

by Martin Nakahara

Angela K. Minkin  
Chief Administrative Law Judge

AM/pcg

Enclosures: Complaint, Rule 4.4, and 4.5

cc via email only, w/o copy of encls.: ALJ Barnett and Calendar Clerk

#### **4.4. (Rule 4.4) Answers**

The answer must admit or deny each material allegation in the complaint and shall set forth any new matter constituting a defense. Its purpose is to fully advise the complainant and the Commission of the nature of the defense. At least one of the defendants filing an answer must verify it, but if more than one answer is filed in response to a complaint against multiple defendants, each answer must be separately verified. (See Rule 1.11.)

The answer should also set forth any defects in the complaint which require amendment or clarification. Failure to indicate jurisdictional defects does not waive these defects and shall not prevent a motion to dismiss made thereafter.

The answer must state any comments or objections regarding the complainant's statement on the need for hearing, issues to be considered, and proposed schedule. The proposed schedule shall be consistent with the categorization of the proceeding, including a deadline for resolving the proceeding within 12 months or less (adjudicatory proceeding) or 18 months or less (ratesetting or quasi-legislative proceeding). (See Article 7.)

Answers must include the full name, address, and telephone number of defendant and the defendant's attorney, if any, and indicate service on all complainants.

#### **4.5. (Rule 4.5) Expedited Complaint Procedure**

(a) This procedure is applicable to complaints against any electric, gas, water, heat, or telephone company where the amount of money claimed does not exceed the jurisdictional limit of the small claims court referenced in Pub. Util. Code § 1702.1.

(b) No attorney at law shall represent any party other than himself or herself under the Expedited Complaint Procedure.

(c) No pleading other than a complaint and answer is necessary.

(d) A hearing without a reporter shall be held within 30 days after the answer is filed.

(e) Separately stated findings of fact and conclusions of law will not be made, but the decision may set forth a brief summary of the facts.

(f) Complaints calendared under the Expedited Complaint Procedure are exempt from the categorizing and scoping requirements of Article 7 and the requirements of Article 8 regarding communications with decisionmakers and Commissioners' advisors.

(g) The Commission or the presiding officer, when the public interest so requires, may at any time prior to the filing of a decision terminate the Expedited Complaint Procedure and recalendar the matter for hearing under the Commission's regular procedure.

(h) The parties shall have the right to file applications for rehearing pursuant to Section 1731 of the Public Utilities Code. If the Commission grants an application for rehearing, the rehearing shall be conducted under the Commission's regular hearing procedure.

(i) Decisions rendered pursuant to the Expedited Complaint Procedure shall not be considered as precedent or binding on the Commission or the courts of this state.