

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE COMPLAINT)
FILED BY VICKI SHAW AND JAMES L.)
SHAW AGAINST VERIZON DELAWARE LLC) PSC COMPLAINT DOCKET
REGARDING THEIR TELEPHONE, INTER-) NO. 353-08
NET, AND FIOS CABLE SERVICE)
(FILED JANUARY 29, 2008))

ORDER NO. 7398

AND NOW, this 17th day of June, 2008;

WHEREAS, on January 29, 2008, James and Vickie Shaw (the "Shaws") filed a formal complaint ("Complaint") with the Commission against Verizon Delaware LLC ("Verizon DE") relating to service and billing disputes arising from their September 2007 agreement under which Verizon DE would provide the Shaws with telephone, Internet, and fiber optic television services ("FiOS") for \$99.99 per month at their residence within the City of Dover; and

WHEREAS, on March 17, 2008, Verizon DE filed an Answer and Motion to Dismiss for Lack of Jurisdiction on the ground that the Shaws' complaint pertains to their purchase of cable television service within the City of Dover, and the Commission lacks jurisdiction over cable television provided within the boundaries of incorporated municipalities, including the City of Dover; and

WHEREAS, by Order No. 7374 (April 17, 2008), the Commission denied Verizon DE's Motion to Dismiss, without prejudice, and referred the Complaint to a Hearing Examiner to conduct appropriate proceedings pursuant to Rule 17 of the Commission's Rules of Practice and Procedure; and

WHEREAS, on May 22, 2008, Verizon DE and the Shaws submitted a joint Stipulation of Dismissal of the Complaint pursuant to Rule 17 of the Commission's Rules of Practice and Procedure, indicating that they had resolved the matter and that the Shaws therefore withdraw their Complaint, with prejudice;

Now, therefore, **IT IS ORDERED THAT:**

1. That, for the reasons set forth above, the Commission hereby dismisses the January 29, 2008 Complaint of James and Vickie Shaw against Verizon Delaware LLC, with prejudice.

2. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary