BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

Mark Drake, )

)

Complainant, )

)

v. ) Case No. 10-411-TP-CSS

)

AT&T Ohio, )

)

Respondent. )

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AT&T OHIO'S ANSWER

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AT&T Ohio[[1]](#footnote-1), for its Answer to the Complaint filed against it, states as follows:

1. AT&T Ohio provides certain services to the Complainant.

2. Based on the informal complaint which preceded it, as reflected in the attachment, the service to which the Complaint relates is digital subscriber line ("DSL") service, which is an interstate information service that is subject to the exclusive jurisdiction of the Federal Communications Commission. Billing issues related to DSL service are likewise exclusively interstate in nature. Neither the service nor the billing issues are subject to this Commission's jurisdiction.

3. To the extent the Complaint relates to regulated telephone services, AT&T Ohio avers that all such services have been provided in accordance with applicable industry standards and that the billing for such services has been and is correct.

4. AT&T Ohio denies any allegation of the Complaint not specifically admitted.

5. AT&T Ohio avers that it has breached no legal duty owed to the Complainant and that its service and practices at all relevant times have been in full accordance with all applicable provisions of law and accepted standards within the telephone industry.

6. AT&T Ohio avers that the Complaint fails to state "reasonable grounds," as required by Ohio Revised Code § 4905.26.

WHEREFORE, having fully answered, Respondent AT&T Ohio respectfully prays that this Complaint be dismissed.

Respectfully submitted,

AT&T Ohio

By: \_\_\_\_\_\_\_/s/ Jon F. Kelly\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jon F. Kelly

AT&T Services, Inc.

150 E. Gay St., Room 4-A

Columbus, Ohio 43215

(614) 223-7928

Its Attorney

10-411.answer

1. The Ohio Bell Telephone Company is a public utility in Ohio and provides certain Commission-regulated services and other non-regulated services. The Complainant used the name "AT&T Phone Service" in his complaint. The Ohio Bell Telephone Company uses the name AT&T Ohio, which is used in this Answer. [↑](#footnote-ref-1)