

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of The)
Broderick Co. L.L.C. d/b/a Plantland Garden)
Center,)
)
Complainant,)
)
v.)
)
XO Communications Services, Inc.,)
)
Respondent.)

Case No. 06-1289-TP-CSS

ENTRY

The attorney examiner finds:

- (1) On October 25, 2006, the Broderick Co. L.L.C. d/b/a Plantland Garden Center (complainant) filed a complaint against XO Communications Services, Inc. (XO), alleging, among other things, that XO failed to discontinue specified services when directed to do so, inappropriately disconnected other services, and billed for services that were not used.
- (2) On October 27, 2006, the examiner issued an entry scheduling a settlement conference to be held on November 30, 2006.
- (3) Due to an error in delivery of the complaint and entry to XO, that settlement conference was cancelled. Therefore, the examiner finds that the settlement conference should be rescheduled.
- (4) This matter will be scheduled for a settlement conference on Wednesday, December 6, 2006, at 10:00 a.m., in Hearing Room 11-B, 11th floor, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (5) The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. Therefore, the parties should bring with them all documents relevant to this matter.

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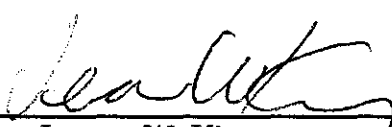
- (6) An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference. If the parties have any questions concerning the settlement conference, they may contact Janet K. Stoneking, at 614-466-6849.
- (7) If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

It is, therefore,

ORDERED, That a settlement conference be scheduled on Wednesday, December 6, 2006, at 10:00 a.m., in Hearing Room 11-B, 11th floor, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jeanne W. Kingery
Attorney Examiner


Entered in the Journal

NOV 30 2006


Renee J. Jenkins

Renee J. Jenkins
Secretary