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February 23, 2007

#### Via Hand Delivery

Ms. Reneé J. Jenkins Director of Administration Secretary of the Public Utilities Commission of Ohio 180 East Broad Street Columbus, Ohio 43215

RE: In the Matter of the Complaint of Drew Hansel v. Windstream Western Reserve, Inc.: PUCO Case No. 07-89-TP-CSS

Dear Ms. Jenkins:

Enclosed are an original and ten (10) copies of an Answer and Affirmative Defenses, to be filed in connection with the above-referenced matter on behalf of Windstream Western Reserve, Inc.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Very truly yours,

Carolyn S. Flahive

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Enclosure

James Lynn, Attorney Examiner cc:

> This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of busing Date Processed 🕏

Carolyn Flahive@ThompsonHine.com Fax 614.469.3361 Phone 614.469.3294

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# BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Drew Hansel,	)
Complainant,	)
<b>v.</b>	) Case No. 07-089-TP-CSS
Windstream Western Reserve, Inc.,	)
Respondent.	)

## **ANSWER AND AFFIRMATIVE DEFENSES**

WINDSTREAM WESTERN RESERVE, INC. ("Windstream") hereby answers the Complaint as follows:

- 1. Windstream admits that it provides telephone exchange service to Complainant.
- Windstream admits that Complainant had questions about calling plan options, and attempts were made by Windstream's customer service representatives to answer those questions.
- 3. Windstream denies that Complainant has services or calling plans that he did not request.

  In particular, Windstream denies that Complainant did not ask for the inside wire maintenance plan ("Protection Plus").
- 4. Windstream contacted Complainant on February 21, 2007 in an attempt to resolve Complainant's outstanding concerns. Windstream informed Complainant at that time that he could change his calling plans or remove Protection Plus, if he so chooses.

### **AFFIRMATIVE DEFENSES**

- 5. The Complaint fails to state a claim for relief and, therefore, must be dismissed.
- Windstream provided full and accurate information to Complainant and responded to his
  questions.
- 7. Winstream representatives have offered to make changes to Complainant's account if he so chooses.

WHEREFORE, Windstream Western Reserve, Inc. respectfully requests that the Complaint be dismissed.

Respectfully submitted,

WINDSTREAM WESTERN RESERVE, INC.

By:

Thomas E. Lodge Carolyn S. Flahive

THOMPSON HINE LLP

10 West Broad Street, Suite 700

Columbus, Ohio 43215

Telephone (614) 469-3200

Facsimile (614) 469-3361

Its Attorneys

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Answer and Affirmative Defenses was served upon the following person, via regular U.S. mail, postage prepaid, this day of February, 2007.

Drew Hansel 828 Smithfield Drive, Suite 1110 Sagamore Hills, Ohio 44067

Carolyn S. Flahive

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