

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Northeast)
Ohio Neighborhood Health Services, Inc.,)
Complainant,)
v.) Case No. 07-547-TP-CSS
AT&T Ohio,)
Respondent.)

ENTRY

The attorney examiner finds:

- (1) On May 7, 2007, Northeast Ohio Neighborhood Health Services, Inc. (NEON or complainant) filed a complaint against AT&T Ohio (AT&T). NEON alleges that in 1999 it entered into an agreement with AT&T (then known as SBC Ohio). Under the agreement, AT&T would provide and service telecommunications for NEON. NEON states that it provides health care at several locations in Cuyahoga County, Ohio.
- (2) At its Miles Road location, NEON alleges that from December 2003 to January 2006, lines were dropped, causing a "ring no answer." Notwithstanding repeated calls to AT&T, NEON alleges that AT&T did not solve the problem. As a result, NEON claims that it lost business and received complaints from patients.
- (3) At its Euclid location, NEON states that AT&T issued a duplicate billing for DSL from July 2004 to July 2005. NEON states that AT&T initially ignored the problem. Eventually, AT&T addressed the complaint but offered no credit.
- (4) At its Hough location, NEON states that AT&T overbilled its 216-231-7700 telephone line from January 2003 to June 2006. NEON further claims that AT&T overbilled it for unrequested services such as voice mail, call forwarding, and other services.

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NEON alleges that in November 2005 AT&T disconnected NEON's local service at its Hough location for nonpayment without notice. Upon investigation, NEON discovered that AT&T applied NEON's payment to an account that should have been closed in 2000.

In 2002, NEON states that it executed a contract with AT&T to install ISDN voice circuits. Although AT&T installed and billed for the circuits, the circuits have not functioned.

NEON states that in January 2003 it requested 37 new telephone lines. NEON alleges that, in the process of moving lines from Corecom to AT&T, AT&T inadvertently disconnected NEON's telephone service. As a temporary remedy, AT&T installed new lines. It is NEON's contention that AT&T stated that it would credit charges incurred from the new service by NEON. Nevertheless, NEON alleges that AT&T billed for the new lines and the installation. AT&T eventually disconnected the new numbers but has yet to credit NEON's account.

- (5) NEON alleges that in the year 2000 it requested that AT&T disconnect several accounts. According to NEON, AT&T continued to bill several of the accounts in 2003. In spite of NEON's requests to cancel the accounts, NEON alleges that AT&T continued to bill the accounts until 2006. Moreover, AT&T placed the accounts in collection, which, in turn, cost NEON thousands of dollars by negatively affecting NEON's credit rating and its ability to capitalize.
- (6) In January 2003, NEON alleges that it sought to take advantage of a promotional offer for all its locations. The promotional program would reduce local line service costs. NEON alleges that AT&T has not applied the discount offered by the program.
- (7) For relief, NEON demands damages in the amount of \$750,000.
- (8) AT&T filed an answer to the complaint on May 29, 2007. In its answer, AT&T admits that it entered into an agreement with the complainant to provide various telecommunication services. In explaining its actions, AT&T alleges that it has breached no duty owed to the complainant. Overall, AT&T claims that issues raised by the complainant are attributable to

the acts and omissions of the complainant, its agents, or others acting under the complainant's direction and control.


- (9) This case should be set for a prehearing conference on July 18, 2007, at 1:00 p.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-F, Columbus, Ohio 43215-3793. The purpose of the conference is to determine whether this matter can be resolved informally.


It is, therefore,

ORDERED, That a prehearing conference is scheduled for July 18, 2007, at 1:00 p.m. in Hearing Room 11-F at the offices of the Commission, 180 East Broad Street, Columbus, Ohio. It is, further,

ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: L. Douglas Jennings
Attorney Examiner

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Entered in the Journal

JUL 09 2007



Renee J. Jenkins
Secretary