

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of William Mitchell,)	
)	
Complainant,)	
)	
v.)	Case No. 07-897-TP-CSS
)	
Verizon Wireless,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On August 7, 2007, William Mitchell filed a complaint against Verizon Wireless alleging that he was overcharged for his retail cellular minutes. Specifically, the complainant alleges that his minutes should have been charged against his company's group plan rather than against his previous individual plan. Mr. Mitchell states that Verizon Wireless has now turned the account over to a collections agency.
- (2) On August 27, 2007, New Par dba Verizon Wireless (Verizon Wireless) filed its answer and motion to dismiss the complaint filed in this proceeding. Verizon Wireless submits that the Commission lacks the appropriate jurisdiction to consider this complaint due to the fact that the Commission's jurisdiction extends only to the provision of wholesale commercial mobile radio service.
- (3) Verizon Wireless' motion to dismiss is granted. In reaching this determination, the Commission references its prior determination that the Commission's jurisdiction extends only to the provision of wholesale commercial mobile radio service and that any complaints related to the provision of retail consumer commercial mobile radio service should be addressed pursuant to the Consumer Sales Practices Act. *In the Matter of the Commission Investigation into the Alternative Regulatory Treatment of Commercial Mobile Radio Service*

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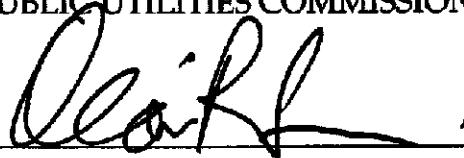
Providers, Case No. 97-1700-TP-COI, Finding and Order,
December 16, 1999, at 18, 19.

It is, therefore,

ORDERED, That Verizon Wireless' motion to dismiss should be granted in accordance with Finding (3). 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



Alan R. Schriber, Chairman



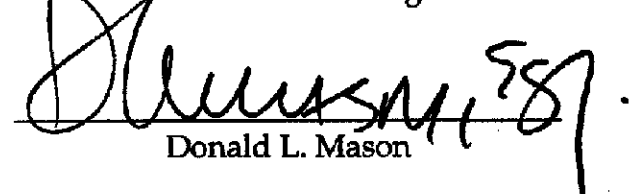
Paul A. Centolella



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Ronda Hartman Fergus



Donald L. Mason

JSA:geb

Entered in the Journal

OCT 03 2007



Renee J. Jenkins
Secretary