

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Robin  
Kinney,

Complainant,

**V.**

Verizon North, Inc.,

**Respondent.**

Case No. 07-1178-TP-CSS

## ENTRY

**The attorney examiner finds:**

- (1) On November 9, 2007, the complainant, Robin Kinney, filed a complaint in this case against the respondent, Verizon North, Inc. (Verizon). The complaint alleges that the complainant has been a local service customer of Verizon since 2001 and has, since the start of such service, experienced on his telephone line "systematic noise from the power line in the form of harmonics of 60 Hz." In 2005, when he complained to Verizon, "a different line pair was tried but with no correction of the problem." The complaint states that a repair ticket for the same problem was again opened in early 2007. In an attempt to resolve this recent repair ticket, says the complaint, Verizon performed a "check of the loop," then stated that "the line is good and they intend no remedial action." The complainant summarizes his complaint by stating: (1) that the quality of his service is poor due to noise on the line; (2) that Verizon, by maintaining proprietary standards for loop noise and by preventing the complainant from performing his own line tests, blocks the complainant's ability to confirm or refute noise measurement obtained by Verizon; and (3) that Verizon has failed to demonstrate that it has and maintains adequate procedures and practices with regard to testing for noise, technicians who are properly trained in using such procedures, and equipment properly calibrated for use in measuring loop noise.

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- (2) On December 7, 2007, the respondent filed an answer and statement of its affirmative defenses to the complaint. In that pleading, Verizon alleges, among other things, that it has not breached any legal duty it owes to the complainant.

Verizon also asserts, as an affirmative defense, its belief that the complaint has already been satisfied. However, on December 18, 2007 the complaint filed a letter indicating that he disagreed with the respondent's assertion that the complaint has been satisfied and confirming his intent to pursue the complaint filed in this case.

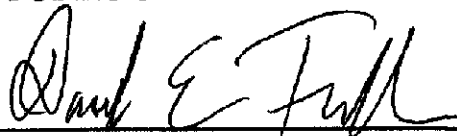
- (3) This case should be set for a prehearing settlement conference on February 6, 2008, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> Floor, Hearing Room 11-B, Columbus, Ohio 43215-3793. The purpose of the settlement conference is to determine whether this matter can be resolved informally.

It is, therefore,

ORDERED, That a prehearing settlement conference be held in accordance with Finding (3). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

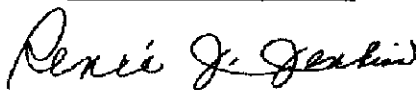


By: Daniel E. Fullin  
Attorney Examiner

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Entered in the Journal

JAN 04 2008



Renee J. Jenkins  
Secretary