

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Brennan's Foods,)	
)	
Complainant,)	
)	
v.)	Case No. 07-784-TP-CSS
)	
Metropolitan Telecommunications dba MetTel,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On July 5, 2007, Lisa Brennan-Green, on behalf of and as manager for Brennan's Foods (Brennan's Foods or complainant), filed a complaint against Metropolitan Telecommunications aka MetTel (MetTel). Brennan's Foods is a grocery store in Lewisburg, Ohio. Brennan's Foods alleged that MetTel failed to provide service and failed to give notice of disconnection. Through its complaint, Brennan's Foods sought reimbursement for loss of service and business losses.
- (2) On July 6, 2007, the Docketing Division issued a copy of the complaint to MetTel. After ascertaining the correct address for the respondent, the attorney examiner directed the Docketing Division to reissue a copy of the complaint to MetTel. The Docketing Division reissued a copy of the complaint to MetTel on September 27, 2007.
- (3) MetTel responded to the complaint on October 15, 2007. MetTel replied that it disconnected service for nonpayment on April 6, 2007. Additionally, MetTel alleged that the complainant had a history of late, missed, and partial payments. MetTel acknowledges that Brennan's Foods submitted a payment on April 6, 2007. However, MetTel states that it did not complete the restoral order until April 10, 2007.

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MetTel admits that Brennan's Foods continued to experience service problems until April 30, 2007.

To compensate Brennan's Foods, MetTel states that it credited the complainant's account for 25 days of lost service. In addition, MetTel discovered that it had overbilled Brennan's Foods for the period May 17, 2007, through September 7, 2007. The company stated that it credited Brennan's Food's account.

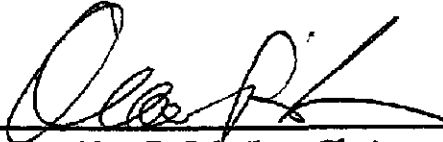
- (4) By entry issued November 20, 2007, the attorney examiner scheduled a November 28, 2007, prehearing conference to determine if the parties could resolve this dispute without a formal hearing. Although the parties did not resolve matters immediately, both parties eventually contacted the attorney examiner by telephone and confirmed that the matter has been settled and that the case may be dismissed.

It is, therefore,

ORDERED, That, upon being advised that the parties in this proceeding have entered into a settlement, the complaint shall be dismissed. 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


Ronda Hartman Fergus


Valerie A. Lemmie

LDJ/vrm

Entered in the Journal

APR 09 2008



Renee J. Jenkins
Secretary