BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	·)	
K. A. Florist, dba Segelin's Florist,)	
Complainant,)	
Complaint	Ś	
v.	ý	Case No. 08-272-TP-CSS
)	
Cavalier Business Communications,)	
)	
Respondent.)	
•	ENTRY	

The Commission finds:

- (1) On March 17, 2008, K. A. Florist, dba Segelin's Florist (complainant) filed a complaint stating that Cavalier Business Communications (Cavalier, company) failed to issue a refund owed to the complainant.
- (2) Subsequently, Cavalier filed an answer denying that a refund check had not been sent to the complainant.
- (3) A settlement conference was convened in this matter on September 25, 2008.
- (4) On October 6, 2008, Cavalier filed a motion to dismiss the complaint. In the motion, the company noted that, at the September 25, 2008, settlement conference, complainant stated that there was no need for a formal complaint. Further, the company stated that the allegations against Cavalier have been satisfied and settled. Citing Rule 4901-9-01(F), Ohio Administrative Code (O.A.C.), Cavalier indicated that the complaint should be dismissed as a settled case.
- (5) Rule 4901-9-01(F), O.A.C., provides that, if the public utility complained against files an answer or motion which asserts that the complaint has been satisfied and no response is filed within 20 days, the Commission may presume that satisfaction has

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occurred and dismiss the complaint. No response to Cavalier's motion has been filed. Accordingly, this case should be dismissed.

It is, therefore,

ORDERED, That this case be dismissed with prejudice. It is, further,

ORDERED, That a copy of this entry be served on each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Alan R. Schriber, Chairman

Paul A Centolella

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Valerie A. Lemmie

Ronda Hartman Fergus

Cheryl L. Roberto

KKS:ct

Entered in the Journal

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Reneé J. Jenkins

Secretary