

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Paul Miracle d/b/a Chef's Touch Catering and Linden
House Banquet Center,

Complainant,

v.

AT&T Ohio,

Respondent.

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Case No. 09-1024-TP-CSS

AT&T OHIO'S ANSWER

AT&T Ohio¹, for its Answer to the Complaint filed against it, states as follows:

1. AT&T Ohio denies for lack of knowledge the allegations of paragraph 1 of the Complaint.
2. AT&T Ohio admits the allegations of paragraph 2 of the Complaint.
3. AT&T Ohio denies that it entered into a contract for a yellow pages listing, as alleged in paragraph 3 of the Complaint.
4. AT&T Ohio denies the allegations of paragraph 4 of the Complaint.

¹ The Ohio Bell Telephone Company is a public utility in Ohio and provides certain Commission-regulated services in Ohio, as well as other services. The Ohio Bell Telephone Company uses the name AT&T Ohio, which was used in the Complaint and is used in this Answer.

5. AT&T Ohio denies the allegations of paragraph 5 of the Complaint, but admits that Complainant has disputed certain charges.

6. AT&T Ohio denies, for lack of knowledge, the allegations of paragraph 6 of the Complaint.

7. AT&T Ohio denies the allegations of paragraph 7 of the Complaint.

8. AT&T Ohio denies the allegations of paragraph 8 of the Complaint and all of its subparts;

9. AT&T Ohio denies the allegations of paragraph 9 of the Complaint.

10. AT&T Ohio denies any allegation of the Complaint not specifically admitted.

11. AT&T Ohio avers that the Commission has no jurisdiction over disputes concerning yellow pages or other classified advertising.

12. AT&T Ohio avers that the retail service on 937-847-3972 and 937-847-9677, both listed in the complaint, is not AT&T Ohio retail service but is service supplied by another provider.

13. AT&T Ohio avers that the Commission has no jurisdiction to award damages or to award any party their attorneys' fees.

14. AT&T Ohio avers that it has breached no legal duty owed to the Complainant and that its service and practices at all relevant times have been in full accordance with all applicable provisions of law and accepted standards within the telephone industry.

WHEREFORE, having fully answered, Respondent AT&T Ohio respectfully prays that this Complaint be dismissed.

Respectfully submitted,

AT&T Ohio

By: /s/ Jon F. Kelly
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AT&T Services, Inc.
150 E. Gay St., Room 4-A
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(614) 223-7928

Its Attorney

09-1024.answer

Certificate of Service

I hereby certify that a copy of the foregoing has been served this 19th day of November, 2009 by first class mail, postage prepaid, on the party shown below.

/s/ Jon F. Kelly

Jon F. Kelly

Paul Miracle d/b/a Chef's Touch
Catering and Linden House Banquet Center

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Summary: Answer electronically filed by Jon F Kelly on behalf of AT&T Ohio