

THE PUBLIC UTILITIES COMMISSION OF OHIO

Case No. 09-1020-TP-CSS

- (1) On October 29, 2009, Vondelise Jones (Complainant) filed a complaint against AT&T Ohio, alleging duplicative billing for her wireless and land line accounts. She also alleges that improper billing related to her land line account led to the improper termination of her AT&T wireless account. Finally, Ms. Jones seeks reimbursement for the incorrect billing, reimbursement of the termination fee, and punitive damages.
- (2) On November 18, 2009, AT&T Ohio filed its answer to the complaint. AT&T Ohio admits that Complainant had combined billing for land line and AT&T Mobility wireless service. AT&T asserts that Complainant incurred an outstanding balance on the combined account because of failure to pay for wireless service. AT&T Ohio denies that cancellation charges for wireless service were inappropriately assessed. In addition, AT&T Ohio denies any other allegations of Complainant, asserts that it has breached no legal duty to the Complainant, and contends that its service and practices have been in full accordance with applicable law and accepted standards within the telephone industry.
- (3) By entry issued December 4, 2009, the attorney examiner scheduled a January 5, 2010, settlement conference. The parties were unable to resolve differences at the settlement conference.

- (4) This matter is scheduled for a hearing at 10:00 a.m., on April 20, 2010, in Hearing Room 11-A at the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793. As is the case in all commission complaint proceedings, the complainant has the burden of proving the allegations in the complaint. *Grossman v. Pub. Util Comm.* (1966) 5 Ohio St.2d 198.
- (5) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

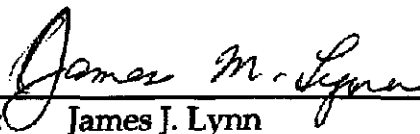
It is, therefore,


ORDERED, That a hearing be scheduled as indicated in Finding (4). It is, further,

ORDERED, That any party intending to present direct, expert testimony comply with Finding (5). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: James J. Lynn
Attorney Examiner


/dah

Entered in the Journal

MAR 15 2010



Renee J. Jenkins
Secretary