

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Dennis McCann,)	
)	
)	Case No. 10-270-TP-CSS
Complainant,)	
)	
v.)	
)	
AT&T Ohio,)	
)	
Respondent.)	

ANSWER OF AT&T OHIO

Now comes AT&T Ohio, Respondent herein, and for its Answer to the Complaint states as follows:

1. AT&T Ohio avers that Respondent is assigned two residential phone lines, 614-855-1103 and 614-855-2850. AT&T Ohio denies knowledge of Respondent operating a business from 10840 Fancher Rd., the billing address for the two residential service lines.

2. AT&T Ohio admits that it has made several service calls to 10840 Fancher Rd. relating to the two phone lines. AT&T avers that several detailed investigations were made in an attempt to isolate the alleged problems.

3. AT&T Ohio avers that the problems that have been identified through the testing are solely related to outgoing calls to certain 1-800 numbers.
4. AT&T Ohio states that AT&T is not the 1-800 provider for the two telephone lines at issue. AT&T Ohio avers that it is not permitted to contact the 1-800 provider for purposes of initiating a trouble report. Such action must be carried out by the customer.
5. AT&T Ohio states that the Commission lacks jurisdiction over the provisioning of 1-800 numbers.
6. AT&T Ohio states that the Commission also lacks jurisdiction to award any form of damages under Ohio Revised Code Sections 4165.02 and 4165.03.
7. AT&T Ohio denies any other allegation of the Complainant not expressly admitted herein.
8. AT&T Ohio says that it has breached no legal duty owing 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.

9. The Complaint fails to state reasonable grounds for proceeding to hearing as required by §4905.26, Revised Code.

Wherefore, having fully answered, Respondent requests that the Complaint be dismissed.

Respectfully submitted,

AT&T Ohio

By: /s/Mary Ryan Fenlon

Mary Ryan Fenlon
Trial Attorney
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following, by first class mail, postage prepaid, on March 29, 2010:

John Dennis McCann
10840 Fancher Road
Westerville, OH 43082

/s/ Mary Ryan Fenlon

Mary Ryan Fenlon

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 10-0270-TP-CSS

Summary: Answer to Complaint filed by John Dennis McCann. electronically filed by Ms. Mary K. Fenlon on behalf of AT&T Ohio