

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
OHIOTELNET.COM, INC.,)	
Complainant,)	
v.)	Case No. 09-515-TP-CSS
Windstream Ohio, Inc.,)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) By entry issued September 21, 2010, the attorney examiner scheduled this matter to be heard on November 2, 2010. The entry also directed the parties to file direct, expert testimony by October 21, 2010, and scheduled a prehearing conference for October 25, 2010.
- (2) On October 21, 2010, Windstream Ohio, Inc. (Windstream) filed written testimony. OHIOTELNET.COM, INC. (OHIOTELNET) did not file testimony.
- (3) During a subsequent prehearing conference, the attorney examiner informed the parties that the issues in this proceeding need to be clarified prior to the hearing. Consequently, the attorney examiner rescheduled the November 2, 2010, for December 7-8, 2010. Moreover, pursuant to Rule 4901-1-26, Ohio Administrative Code, the attorney examiner directs OHIOTELNET to clarify the issues that it seeks to resolve at the hearing by providing the following information:
 - (a) a description of the issues that OHIOTELNET intends to raise at the hearing;
 - (b) a summary of documents that will be presented at the hearing;

- (c) the name, employer, and title of each witness who will present testimony at the hearing;
- (d) a detailed description of the subject matter of each witness' testimony, including an identification of the testimony that purports to support each claim;
- (e) an identification of the documentary evidence that will be presented in the direct testimony of each witness, including the type of document (e.g., invoice, written correspondence, e-mail, or contract), the date of the document, the identity of the sender and recipient of any correspondence, and the specific purpose or element of a claim to which the documentary evidence relates.

OHIOTELNET shall file the above information and serve a copy upon Windstream and its counsel on or before November 5, 2010.

- (4) In addition to the information listed in Finding (3), OHIOTELNET shall prefile testimony on or before November 12, 2010.

It is, therefore,

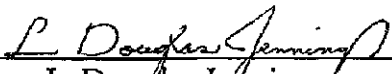
ORDERED, That the hearing scheduled for November 2, 2010, shall be rescheduled for December 7-8, 2010, at 10:00 a.m. in Hearing Room 11-C, at the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That OHIOTELNET file and serve upon counsel for Windstream the information in Finding (3) of this entry by November 5, 2010. It is, further,

ORDERED, That OHIOTELNET prefile testimony on or before November 12, 2010. 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


By: L. Douglas Jennings
Attorney Examiner

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/vrm

Entered in the Journal
NOV 03 2010



Renee J. Jenkins
Secretary