

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of William Steven Gandee, D.C., and)	Case No. 09-51-TP-CSS
)	
)	
In the Matter of Brian Longworth, D.C.,)	Case No. 09-52-TP-CSS
)	
Complainants,)	
)	
v.)	
)	
Choice One Communications, Inc. dba)	
One Communications,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On January 22, 2009, counsel for William Steven Gandee, D.C. (Dr. Gandee) and Brian Longworth, D.C. (Dr. Longworth) filed complaints against Choice One Communications dba One Communications (Choice One), alleging that in November 2006 Choice One unlawfully ported Complainants' telephone numbers (330) 896-8500 and (330) 724-5521 from AT&T to Choice One.
- (2) Choice One answered both complaints on February 11, 2009, by contending that Choice One had obtained a verified letter of agency before submitting a port request to AT&T in November 2006.
- (3) By entry issued February 13, 2009, the attorney examiner scheduled both complaints for a prehearing conference on February 24, 2009. The parties met at that day and time but did not resolve matters.
- (4) Choice One filed a motion to dismiss and an accompanying memorandum in support on April 9, 2010, contending that it properly relied on the letter of agency when it submitted the port request to AT&T.
- (5) Also on April 9, 2010, Mr. Michael Dortch, an attorney licensed to practice law in Ohio, filed a motion pursuant to Rule 4901-1-08(B), Ohio Administrative Code (O.A.C.), for admission pro hac vice of

Ms. Paula W. Foley to represent Choice One in this proceeding. In support of the motion, Mr. Dortch states that Ms. Foley is an attorney in good standing and is licensed to practice in the Commonwealth of Massachusetts. An affidavit attached to the motion, signed by Ms. Foley, indicates that she is Regulatory Affairs Counsel for Choice One.


- (6) Rule 4901-1-08(B), O.A.C., provides that persons authorized to practice law in other jurisdictions may be permitted to appear before the Commission in a particular proceeding, upon motion of an attorney of this state. Upon the representations of counsel and compliance with the Commission's rule, the motion for admission pro hac vice shall be granted. Ms. Foley shall be permitted to appear and participate in this matter on behalf of Choice One.

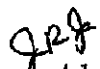
It is, therefore,

ORDERED, That Ms. Foley shall be permitted to appear as counsel and represent Choice One in this proceeding. It is, further,

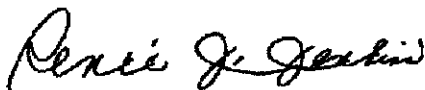
ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: James M. Lynn
Attorney Examiner


/dah

Entered in the Journal **JAN 19 2011**



Renee J. Jenkins
Secretary