BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Dan and Lisa Kafka,))
Complainants,	<u>'</u>
v.) Case No. 03-2143-TP-CSS
MCI and CoreComm Newco, Inc.)
Respondents.)

ENTRY

The attorney examiner, pursuant to the authority granted in Rule 4901-1-14, Ohio Administrative Code, finds:

- (1) On October 20, 2003, Dan and Lisa Kafka (complainants) filed a formal complaint with the Commission against MCI alleging that MCI failed to honor a new service agreement with complainants entered into on September 17, 2002. Specifically, complainants allege that they incurred charges of \$133.64 for long distance service from their previous long distance carrier because MCI failed to make the appropriate arrangements with their local service provider, CoreComm Newco, Inc., (CoreComm) to switch complainants' long distance service.
- (2) On November 10, 2003, MCI filed its answer admitting and denying various allegations of the complaint. MCI asserts that it properly transmitted the information necessary to make the switch of long distance carriers to CoreComm and, therefore, complainants should seek recovery of the charges at issue from CoreComm.
- (3) Inasmuch as the complaint of inadequate service and the answer of MCI allege the involvement of CoreComm in this transaction, CoreComm's participation in these proceedings as an indispensable party is necessary to a proper resolution of the issues. Accordingly, CoreComm should file an answer on or before December 29, 2003.

 03-2143-TP-CSS -2-

(4) The attorney examiner finds that these matters should be set for a settlement conference on January 7, 2004, at 10:00 a.m., in Hearing Room 11-E, 11th floor of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. The purpose of the settlement conference will be to determine whether this matter can be informally resolved.

It is, therefore,

ORDERED, That CoreComm Newco, Inc. file an answer in this proceeding on or before December 29, 2003. It is, further,

ORDERED, That this case is set for a settlement conference in accordance with Finding (4). It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Affred P. Agler

Attorney Examiner

/vrm MM

Entered in the Journal

DEC 0 5 2003

Reneé J. Jenkins

Secretary