

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint)	
of American Broadband and)	
Telecommunications Company,)	
)	
Complainant,)	
)	Case No. 10-533-TP-CSS
v.)	
)	
Frontier North Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On April 19, 2010, American Broadband and Telecommunications Company (American Broadband or complainant) filed a complaint alleging, among other things, that Verizon North Inc. (Verizon North or respondent) has failed to provide adequate service as required by Section 4905.22, Revised Code. Specifically, American Broadband asserts that since 2007, Verizon North has failed to fix software problems that have negatively impacted the respondent's ability to timely and properly process the complainant's loop and port orders and corresponding local number portability requests. The complainant alleges that, as a direct and proximate result of Verizon North's deficiencies, its business has been interfered with and negatively impacted due to the cancellation of service orders by prospective customers. The complainant also asserts that the respondent's charges are in excess of those established in the applicable interconnection agreement and tariffs.
- (2) A settlement conference was held on May 19, 2010. Although no resolution was reached, the parties indicated that they would continue to discuss a settlement prior to the scheduling of a hearing. The parties have periodically reported back to the attorney examiner regarding their

continued efforts to negotiate an informal resolution to the complaint.

- (3) On September 12, 2012, American Broadband filed a motion for leave to amend its complaint. The complainant notes that, although good-faith discussions between the parties have been ongoing since the May 19, 2010 settlement conference, it appears that an impasse has now been reached. In support of its request to amend its complaint, the complainant states that between the months of June and July 2010, Frontier North Inc. (Frontier North) became the successor in interest to Verizon North. Therefore, it seeks to substitute Frontier North as the respondent in this proceeding.

Additionally, American Broadband seeks to amend its complaint to include the following updated counts based on the alleged continued problems related to billing-related issues:

- (a) Frontier has systematically and purposefully created a “No Dial Tone” during loop and port orders in violation of Sections 4905.22 and 4905.35, Revised Code.
- (b) Frontier has failed to accurately post payments in violation of Section 4905.22, Revised Code, and the interconnection agreement.
- (c) Frontier has failed to produce invoices in a timely manner and in the proper format in violation of Sections 4905.22 and 4905.35, Revised Code, and the interconnection agreement.
- (d) Frontier has been unwilling to provide credits or accurately address American Broadband’s disputes in violation of Section 4905.22, Revised Code, and the interconnection agreement.

- (e) Frontier's actions violate the policy set forth in Section 4927.02, Revised Code.
- (4) No one filed in opposition to American Broadband's motion to amend its complaint.
- (5) Upon consideration of American Broadband's motion to amend its complaint, the attorney examiner finds that the request is reasonable and should be granted. Frontier North should file its amended answer within 15 days of this entry.

It is, therefore,

ORDERED, That American Broadband's motion to amend its complaint is granted. It is, further,

ORDERED, That Frontier North file its amended answer consistent with this Entry. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Jay Agranoff

By: Jay S. Agranoff
Attorney Examiner

GAP/sc

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in

Case No(s). 10-0533-TP-CSS

Summary: Attorney Examiner Entry granting American Broadband's motion to amend its complaint and orders Frontier North to file its amended answer consistent with this Entry. - electronically filed by Sandra Coffey on behalf of Jay Agranoff, Attorney Examiner, Public Utilities Commission of Ohio