

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Critical	)	
Care Home Care,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 12-2220-TP-CSS
	)	
Cincinnati Bell Telephone Company LLC,	)	
	)	
Respondent.	)	

ENTRY

The Commission finds:

- (1) On August 2, 2012, Ms. Marlena Handshoe, on behalf of Critical Care Home Care (Critical Care or complainant), filed a complaint against Cincinnati Bell Telephone Company LLC (CBT). The complaint states that CBT initiated telephone, facsimile, and Internet service on June 1, 2012. The complaint further states that service was inadequate from the beginning and that CBT's efforts to solve the problems were ineffective over a two-month period. For relief, Critical Care requested that CBT credit its bill and cancel its service contract.
- (2) CBT filed an answer to the complaint on August 20, 2012. In its answer, CBT alleges that it has agreed to cancel the service contract and credit all charges on Critical Care's bill, in effect granting the relief sought by the complainant. Asserting that the complaint has been satisfied, CBT requests that the Commission dismiss the complaint, pursuant to Rules 4901-9-01(C)(4) and 4901-9-01(F), Ohio Administrative Code (O.A.C.).
- (3) CBT's answer refers to Rule 4901-9-01(C)(4), O.A.C., which addresses an allegation that the complaint has been satisfied or the case settled. CBT also asserts Rule 4901-9-01(F), O.A.C., which provides a 20-day period in which a complainant can agree or disagree with an assertion that the complaint has been satisfied. Pursuant to the rule, CBT states that it has

advised the complainant of the 20-day period in which to file a response.

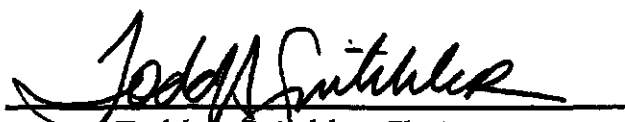
- (4) More than 20 days have passed since the filing of CBT's answer and motion to dismiss. In accordance with the rule, the Commission shall presume that satisfaction or settlement has occurred and dismiss the complaint.

It is, therefore,


ORDERED, That the complaint is hereby dismissed, pursuant to Rule 4901-9-01(F), O.A.C. It is, further,


ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

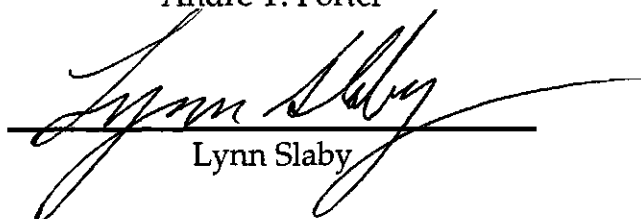
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Snitchler, Chairman

  
Steven D. Lesser

  
Andre T. Porter

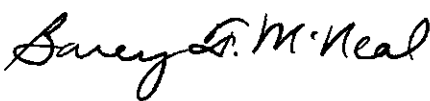
  
Cheryl L. Roberto

  
Lynn Slaby

LDJ/dah

Entered in the Journal

OCT 31 2012



Barcy F. McNeal  
Secretary