

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Nexus)	
Communications, Inc.,)	
)	
Complainant,)	
)	
v.)	Case No. 10-2518-TP-CSS
)	
AT&T Ohio,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On November 5, 2010, Nexus Communications, Inc. (Nexus) filed a complaint against The Ohio Bell Telephone Company dba AT&T Ohio (AT&T) to recover "cash back" promotional credits. Nexus alleged that it is a party to an interconnection agreement with AT&T and that it is entitled to credits for reselling services that are subject to AT&T's promotional discounts.
- (2) By entry issued January 31, 2011, the attorney examiner scheduled a settlement conference to occur on February 24, 2011.
- (3) On July 6, 2011, Nexus and AT&T filed a joint motion to hold this proceeding in abeyance.
- (4) By entry issued July 15, 2011, the attorney examiner suspended this matter indefinitely.
- (5) While several pleadings, including a motion to dismiss, were pending, the parties filed a joint status report on January 10, 2013, notifying the attorney examiner that settlement negotiations were continuing and that the parties were attempting to resolve the same or similar issues in many jurisdictions. The parties requested that the Commission continue to suspend this matter pending the outcome of settlement negotiations.

- (6) On May 24, 2013, the parties filed a joint letter advising the Commission that the parties have settled their dispute and that they request that the complaint be dismissed with prejudice.
- (7) Being advised that the parties have settled their dispute, the Commission finds that the request to dismiss the complaint, with prejudice, should be granted.

It is, therefore,

ORDERED, That the joint request to dismiss the complaint, with prejudice, be granted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

Todd A. Snitchler, Chairman

Steven D. Lesser

Lynn Slaby

M. Beth Trombold

LDJ/vrm

Entered in the Journal

JUN 11 2013

Barcy F. McNeal

Barcy F. McNeal
Secretary