

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Covista Communications, Inc.,)	
)	
Complainant,)	
)	
v.)	Case No. 12-2574-TP-CSS
)	
Victory Telecom, Inc. and Xtension)	
Services, Inc.,)	
)	
Respondents.)	

ENTRY

The Commission finds:

- (1) On September 20, 2012, the complainant, Covista Communications, Inc. (Covista), filed a complaint against the respondents, Xtension Services, Inc. (Xtension) and Victory Telecom, Inc. (Victory). The complaint alleges, among other things, that both respondents have violated truth-in-billing laws.
- (2) An evidentiary hearing in this case was scheduled to occur at 10:00 a.m. on September 17, 2013. Counsel for Victory was unable to attend the hearing on that day. The hearing did not proceed as scheduled but, instead, counsel for Covista and Xtension used the scheduled time to meet together and achieve a settlement of the case. On September 17, 2013, counsel for Covista and for Xtension filed a joint motion seeking that this case be dismissed without prejudice. As a result, in essence, the complainant is now seeking withdrawal of its complaint.
- (3) The Commission finds that the September 17, 2013, joint motion to dismiss this case should be granted. Accordingly this case is hereby dismissed, without prejudice, and closed of record.

It is, therefore,

ORDERED, That, in accordance with the above findings, this matter is dismissed, without prejudice, and closed of record. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

Todd A. Snitchler, Chairman

Steven D. Lesser

M. Beth Trombold

Lynn Slaby

Asim Z. Haque

DEF/sc

Entered in the Journal

NOV 06 2013

Barcy F. McNeal

Barcy F. McNeal
Secretary