

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Yvonne Irvine,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 14-1475-TP-CSS
	)	
The Ohio Bell Telephone Company, dba	)	
AT&T Ohio,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On August 22, 2014, the Complainant, Yvonne Irvine, filed a complaint against the Respondent, AT&T Ohio (AT&T).<sup>1</sup> The Complainant is seeking full reimbursement of charges for optional services which, she alleges, AT&T billed without authorization.
- (2) AT&T filed its answer on September 15, 2014. In its answer, AT&T denies all of the allegations of the complaint and argues that the matters raised in the complaint are all beyond the Commission's jurisdiction.
- (3) At this time, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statement made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.

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<sup>1</sup> The complaint was filed against AT&T. In its answer, AT&T Ohio explains that its proper corporate name is The Ohio Bell Telephone Company, dba AT&T Ohio.

- (4) Accordingly, a settlement conference shall be scheduled for October 30, 2014, at 10:00 a.m. in Conference Room 1247 of the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (5) Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the public utility shall investigate the issues raised in the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (6) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public. Util. Comm.*, 5 Ohio St. 2d 189, 214 N.E. 2d 666 (1966).

It is, therefore,

ORDERED, That a settlement conference be held on October 30, 2014, at 10:00 a.m. in Conference Room 1247 of the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215.

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel E. Fullin

By: Daniel E. Fullin  
Attorney Examiner

JRJ/dah

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 14-1475-TP-CSS**

Summary: Attorney Examiner Entry that schedules a settlement conference for October 30, 2014, at 10:00 a.m.; electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.