

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Elizabeth Branson

vs.

AT&T/FCC

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Case No. 16-0331-TP-CSS

RESPONDENT AT&T OHIO’S ANSWER AND AFFIRMATIVE DEFENSES

The Ohio Bell Telephone Company (“AT&T Ohio”)¹ hereby submits its Answer and Affirmative Defenses in response to the Complaint of Elizabeth Branson (“Complainant”). For its Answer to the Complaint filed against it, AT&T Ohio states as follows:

1. In response to the first unnumbered paragraph of the Complaint, AT&T Ohio admits the Complainant is a customer of AT&T Ohio.
2. In response to the second unnumbered paragraph of the Complaint, AT&T Ohio denies that local toll charges (“Local Calling Plus”) for calls from Complainant’s location are inappropriate. AT&T Ohio admits that it has issued courtesy credits to the Complainants account in the past year, but denies the implication that those credits mean that the “Local Calling Plus” charges were inappropriate. Responding further, AT&T Ohio is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations.
3. In response to the third unnumbered paragraph of the Complaint, AT&T Ohio admits a copy of a letter responding to an informal complaint filed at the FCC, dated November

¹ The Ohio Bell Telephone Company is a public utility in Ohio and provides certain Commission-regulated services and other non-regulated services. The Complainant used the name "AT&T" in its complaint. The Ohio Bell Telephone Company uses the name AT&T Ohio, which is used in this Answer.

10, 2015, was sent to Complainant. Responding further, the November 10th letter, attached to the Complaint, speaks for itself.

4. In response to the fifth unnumbered paragraph of the Complaint, AT&T Ohio is without sufficient knowledge or information to form a belief as to the truth of the allegations.

5. In response to the first unnumbered paragraph of the Complaint, AT&T Ohio denies that it is charging unjust rates or that it is discriminating against Complainant. The remaining allegations in Paragraph 5 state legal conclusions to which no answer is required.

6. In response to the sixth unnumbered paragraph of the Complaint, AT&T Ohio denies that Complainant's bill contains an unfair charge.

7. In response to the seventh unnumbered paragraph of the Complaint, AT&T Ohio denies that it gave the runaround to Complainant. AT&T is without sufficient knowledge or information to form a belief as to the truth of the allegations in Paragraph 7.

8. In response to the eighth unnumbered paragraph of the Complaint, AT&T Ohio denies that there is any problem with the bills it renders to Complainant. AT&T Ohio further denies that the Complainant is unable to use her phone service without conflict.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a claim upon which relief can be granted.
2. The Complaint fails to state reasonable grounds as required by Ohio Revised Code §§ 4905.26 or 4927.21.
3. AT&T Ohio is charging rates approved by the Commission.

4. AT&T Ohio is administering local toll charges known as “Local Calling Plus” in conformance with Ohio law.

WHEREFORE, having fully answered, Respondent AT&T Ohio respectfully requests that the Complaint be dismissed with prejudice.

Respectfully submitted,

AT&T Ohio

By: /s/ Douglas W. Trabaris
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served this 3rd day of March 2016, by U.S. Mail on the party shown below.

/s/ Douglas W. Trabaris
Douglas W. Trabaris

Elizabeth Branson
6530 Big Plain Circleville Road
London, OH 43140

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in

Case No(s). 16-0331-TP-CSS

Summary: Answer RESPONDENT AT&T OHIO'S ANSWER AND AFFIRMATIVE DEFENSES
electronically filed by Douglas W Trabaris on behalf of AT&T and AT&T Ohio and Ohio Bell
Telephone Company and AT&T Entities