

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	)	
Gallipolis City School District,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 16-532-TP-CSS
	)	
AT&T Ohio,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) Pursuant to R.C. 4927.21, the Commission has authority to consider written complaints filed against a telephone company by any person or corporation regarding any rate, service, regulation, or practice relating to any service furnished by the telephone company that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.
- (2) The Ohio Bell Telephone Company d/b/a AT&T Ohio (AT&T) is a telephone company as defined in R.C. 4905.03 and, as such, is subject to the jurisdiction of this Commission.
- (3) On March 8, 2016, Bill Foster, District Technology Coordinator, on behalf of Complainant, Gallipolis City School District (the District), filed a complaint against Respondent, AT&T. Complainant alleges that it has made a persistent effort, for close to a one-year period, to better understand both the nature of the phone service it has and why its phone bills have kept going up. Complainant further alleges that AT&T failed to provide sales representatives that actually helped in this endeavor. Nevertheless, after studying the matter on its own for nearly a year, the District now better understands the phone service it has and believes: (a) that AT&T owes the District money; and (b) that, with proper help from AT&T, the District could have saved Ohio taxpayers well over \$100,000.00.

- (4) AT&T filed its answer on March 26, 2016. There, AT&T asserts several affirmative defenses and claims that it lacks sufficient information to form a belief as to the truth of nearly all of the Complainant's allegations. Further answering, Respondent denies that it owes Complainant money.
- (5) 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.
- (6) Accordingly, a settlement conference shall be scheduled for April 26, 2016, at 1:00 p.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.
- (7) 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.
- (8) 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 April 26, 2016, at 1:00 p.m. in Conference Room 1247 of the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. 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

/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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**Case No(s). 16-0532-TP-CSS**

Summary: Attorney Examiner Entry ordering a settlement conference be held on April 26, 2016, at 1:00 p.m. in Conference Room 1247 of the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215 - electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.