

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
PERCY SQUIRE CO. LLC,**

COMPLAINANT,

v.

CASE NO. 16-2140-TP-CSS

LEVEL 3 COMMUNICATIONS LLC,

RESPONDENT.

ENTRY

Entered in the Journal on February 8, 2017

I. SUMMARY

{¶ 1} The Commission grants the parties' joint motion to dismiss this complaint with prejudice.

II. DISCUSSION

{¶ 2} 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.

{¶ 3} Level 3 Communications LLC (Respondent) is a telephone company as defined in R.C. 4905.03 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On October 28, 2016, Percy Squire Co., LLC (Complainant) filed a complaint alleging, among other things, that Respondent failed to properly disconnect Complainant's service at a prior address and failed to properly port all of Complainant's lines to a new address, together causing Complainant to incur costs for which Complainant seeks to be reimbursed.

{¶ 5} On November 17, 2016, Respondent filed its answer in which it admits some and denies others of the allegations of the complaint and asserts several affirmative defenses.

{¶ 6} A settlement teleconference originally scheduled for December 14, 2016, was not held because the parties, working together prior to the date of the scheduled conference, had already reached a tentative settlement.

{¶ 7} On December 20, 2016, the parties filed a joint motion to dismiss this proceeding, with prejudice. In the motion, the parties, by agreement, stipulate that this proceeding may be dismissed with prejudice and request to have the Commission issue an order that would terminate the complaint.

{¶ 8} The Commission finds that the parties' joint motion to dismiss with prejudice is reasonable and should be granted.

III. ORDER

{¶ 9} It is, therefore,

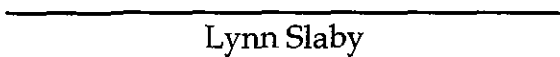
{¶ 10} ORDERED, That the parties' joint motion to dismiss the complaint with prejudice be granted. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



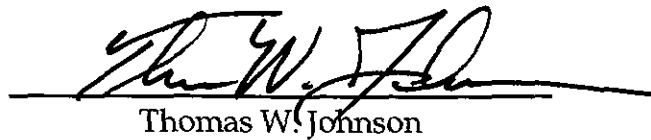
Asim Z. Haque, Chairman



Lynn Slaby



M. Beth Trombold

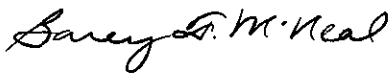


Thomas W. Johnson

DEF/dah

Entered in the Journal

FEB 08 2017



Barcy F. McNeal
Secretary