

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT
OF AMERICAN BROADBAND AND
TELECOMMUNICATIONS COMPANY,**

COMPLAINANT,

CASE NO. 10-533-TP-CSS

V.

FRONTIER NORTH INC.,

RESPONDENT.

ENTRY

Entered in the Journal on June 7, 2017

I. SUMMARY

{¶ 1} The Commission dismisses this complaint at the request of the parties.

II. DISCUSSION

{¶ 2} Pursuant to R.C. 4905.22, every public utility shall furnish necessary and adequate service and facilities. All charges made or demanded for any service rendered, or to be rendered, shall be just, reasonable and not more than the charges allowed by law or by order of the Commission.

{¶ 3} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility regarding any rate, service, regulation, or practice relating to any service furnished by the public utility that is in any respect unjust, unreasonable, insufficient or unjustly discriminatory.

{¶ 4} American Broadband and Telecommunications Company (American Broadband or Complainant), and Frontier North Inc. (Frontier) are public utilities as defined in R.C. 4905.02 and, as such, are subject to the jurisdiction of the Commission.

{¶ 5} On April 19, 2010, as amended on September 12, 2012, American Broadband filed a complaint alleging, among other things, that Frontier has failed to provide adequate service as required by R.C. 4905.22. Specifically, American Broadband asserts that since November 2007, Frontier and its predecessor, Verizon North Inc. (Verizon), failed to fix software problems that have negatively impacted the ability to timely and properly process the Complainant's loop and port orders and corresponding local number portability requests. Complainant alleges that as a direct and proximate result of Frontier's deficiencies, its business has been interfered with and negatively impacted due to the cancellation of service orders by prospective customers. Complainant also asserts that Respondent's charges are in excess of those established in the applicable interconnection agreement and tariffs.

{¶ 6} On May 10, 2010, Verizon filed its answer to the original complaint. On January 7, 2013, Frontier filed its answer to the amended complaint.

{¶ 7} Following numerous settlement conferences and negotiations, the parties filed a joint notice of dismissal requesting that this proceeding be dismissed with prejudice.

{¶ 8} In view of the settlement of the complaint, the Commission finds that this case should be dismissed with prejudice and closed of record.

III. ORDER

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That this case be dismissed with prejudice and closed of record. It is, further,

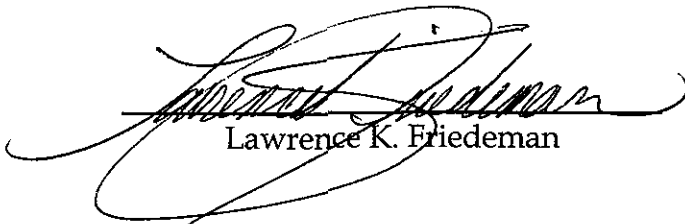
{¶ 11} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Asim Z. Haque, Chairman

M. Beth Trombold

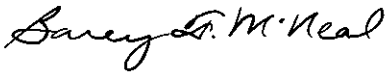


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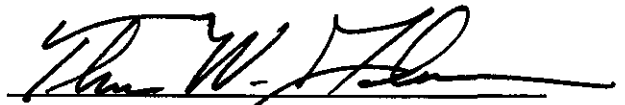
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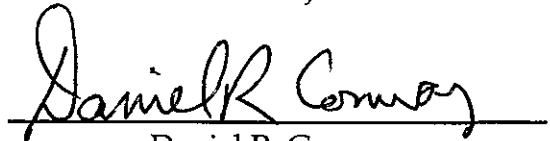
JUN 07 2017



Barcy F. McNeal
Secretary



Thomas W. Johnson



Daniel R. Conway