

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
THE J. CALICO HOLDING COMPANY  
D/B/A ROOSTERS MEN'S GROOMING  
CENTER,**

**COMPLAINANT,**

**CASE NO. 18-466-TP-CSS**

**V.**

**CINCINNATI BELL TELEPHONE  
COMPANY, LLC,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on July 25, 2018

**I. SUMMARY**

{¶ 1} The Commission dismisses the complaint pursuant to the motion filed by Cincinnati Bell Telephone Company, LLC.

**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} Cincinnati Bell Telephone Company, LLC (CBT) is a telephone company as defined in R.C. 4905.03 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On March 19, 2018, the J. Calico Holding Company d/b/a Roosters Men's Grooming Center (Roosters or Complainant) filed a complaint against CBT. The

Complainant alleged that CBT's failure to port telephone service, as requested, led to a financial loss. The Complainant filed the complaint to recover damages.

{¶ 5} On April 4, 2018, CBT filed an answer in which it disputed the factual allegations of the complaint.

{¶ 6} By Entry issued May 10, 2018, the attorney examiner scheduled a settlement conference for June 1, 2018.

{¶ 7} On May 18, 2018, CBT filed a motion to dismiss the complaint. In support of its motion, CBT states that the parties have settled the dispute. CBT requests that the Commission dismiss the case pursuant to Ohio Adm.Code 4901-9-01(F).

{¶ 8} In a May 29, 2018 Entry, the attorney examiner canceled the settlement conference upon being advised by CBT that the parties have reached a settlement.

{¶ 9} Ohio Adm.Code 4901-9-01(F) provides that if a public utility files a motion asserting that the complaint has been satisfied, the complainant shall have 20 days to file a written objection. If no objection is filed within 20 days, the Commission may presume that settlement has occurred and dismiss the complaint. Twenty days have passed since the filing of CBT's motion to dismiss. In accordance with Ohio Adm.Code 4901-9-01(F), the Commission shall presume that the parties have settled the dispute. Accordingly, the complaint shall be dismissed.

## III. ORDER

{¶ 10} It is, therefore,

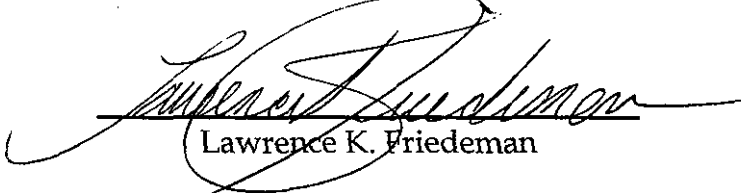
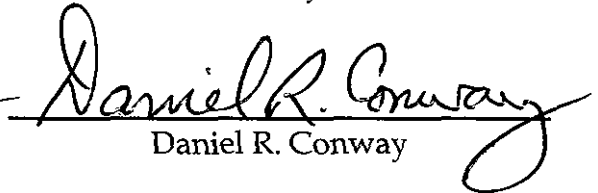
{¶ 11} ORDERED, That CBT's motion to dismiss the complaint pursuant to Ohio Adm.Code 4901-9-01(F) be granted. It is, further,

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

## THE PUBLIC UTILITIES COMMISSION OF OHIO



Asim Z. Haque, Chairman

  
M. Beth Trombold  
Thomas W. Johnson  
Lawrence K. Friedeman  
Daniel R. Conway

LDJ/sc

Entered in the Journal

**JUL 25 2018**



Barcy F. McNeal  
Secretary