

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF LONNIE R. STEPHEN,

COMPLAINANT,

v.

CASE NO. 18-335-TP-CSS

WINDSTREAM OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on July 25, 2018

I. SUMMARY

{¶ 1} The Commission grants the joint motion to dismiss with prejudice, as the parties have settled all issues in the complaint.

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 regarding any rate, practice, or service of the company that is in any respect unjust, unreasonable, or unjustly discriminatory.

{¶ 3} Windstream Ohio, Inc. (Windstream) is a telephone company as defined in R.C. 4905.03 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On February 26, 2018, Lonnie R. Stephen (Complainant) filed a complaint against Windstream, asserting that there are six utility poles in his pasture that are no longer used by Windstream. Complainant requests that Windstream remove the poles from his pasture.

{¶ 5} Windstream filed its answer on March 16, 2018, denying Complainant's allegations and asserting that it has been in full compliance with Commission requirements. Shortly thereafter, Windstream contacted the attorney examiner to indicate that the parties were engaged in settlement discussions and expected to resolve the matter.

{¶ 6} On June 27, 2018, the parties filed a joint motion to dismiss the complaint with prejudice. In the joint motion, the parties indicate that the matter has been settled and request dismissal of the complaint with prejudice.

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

III. ORDER

{¶ 8} It is, therefore,

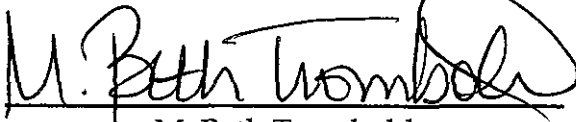
{¶ 9} ORDERED, That the parties' joint motion to dismiss the complaint with prejudice be granted. It is, further,

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

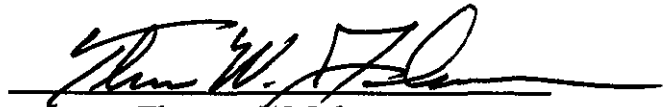
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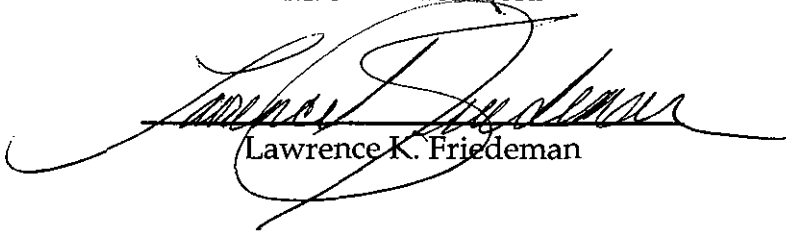
Asim Z. Haque, Chairman



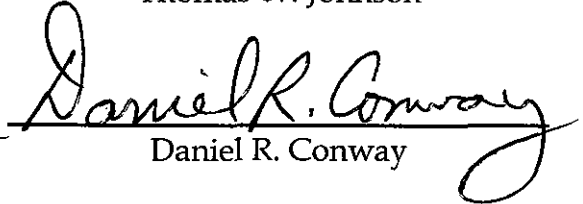
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

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JUL 25 2018



Barcy F. McNeal
Secretary