

Formal Complaint Form

Vintage Uncorked, Inc  
d/b/a A Bottle Or Two  
Customer Name (Please Print)

11920 Montgomery Road  
Customer Address  
Cincinnati OH 45249  
City State Zip

Against

513-583-8163 754  
Account Number

SAME AS ABOVE  
Customer Service Address (if different from above)

Cincinnati Bell  
Utility Company Name

City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

See Attached

RECEIVED DOCKETING DIV  
2019 OCT 23 PM 12:50  
PUCO

David A. Rustinger, Esq.  
Signature #0068459

(w) 513.583.8163 (c) 513.368-4188  
Customer Telephone Number

Vintage Uncorked, Inc. d/b/a A Bottle Or Two Wine & Beer (hereinafter, A Bottle Or Two)

11920 Montgomery Road, Cincinnati, OH 45249

Telephone: 513.583.8163

Account Number: 513-583-8163 754

Service Address: 11920 Montgomery Road, Cincinnati, OH 45249

Complaint is being filled against Cincinnati Bell

A Bottle Or Two was a customer of Cincinnati Bell from on or about October 2009 until on or about August 7, 2019.

From on or about October 2009 through October of 2018, A Bottle Or Two entered into one year or multi-year contracts with Cincinnati Bell for telephone and cable services with the last contract ending in October of 2018.

In e-mail messages exchanged with Van Adaya of Cincinnati Bell between September 17, 2018 and September 24, 2018 A Bottle Or Two through its owner and President, David A. Pustinger informed Cincinnati Bell that with the term ending in October of 2018 A Bottle Or Two would not renew for another year and would continue on a month to month basis. The following is an excerpt from the email exchange between David Pustinger and Van Adaya:

"Van,

*I really need to do research as to best options for my business. At the end of the current term, I would like to go month to month until I have had enough time to weigh all of my internet and phone options. I do not agree to having the current agreement roll over and I am not ready to lock in another agreement until I can compare available service."*

During the above exchange, A Bottle Or Two, also expressed concern regarding the slow internet service. As the company grew the lack of adequate internet speed provided by Cincinnati Bell caused the Point of Sale (POS) system used by A Bottle Or Two to crash on a regular basis. This lack of internet speed was the catalyst for A Bottle Or Two to seek another carrier.

A Bottle Or Two reasonably believed that it had clearly been communicated to Cincinnati Bell that they had terminated the annual renewal and were operating on a month to month term.

During the subsequent months A Bottle Or Two, found another service provider. It took several months for the service provider to gain access to the building and run the necessary lines to provide telephone, internet and television service. Once the lines were established Cincinnati Bell made the process of porting the telephone numbers to the new carrier difficult. The new service provider warned that this was Cincinnati Bell's mode of operation just to prepare A Bottle Or Two for the possibility of further delay.

David Pustinger called in late July of 2019 to arrange to terminate service effective August 7, 2019. The call went to an overseas call center. Mr. Pustinger struggled to understand the customer service representative and the representative could not explain the billing cycle. Mr. Pustinger asked to speak to a representative physically in the United States and his request was denied. He was informed that the call center staff were the only people he could speak to regarding the service disconnection and remaining billings. After several calls, Mr. Pustinger was informed that there might only be a small amount due related to international calls due to a "lag" in the billing period. A Bottle Or Two established service with the new provider on or about August 7, 2019. Cincinnati Bell has been paid for all service provided through August 7, 2019.

In early September of 2019, A Bottle Or Two received a bill for \$518.11. Mr. Pustinger again called Cincinnati Bell at which time he was informed that A Bottle Or Two was being billed for the remainder of a one-year contract. Mr. Pustinger explained that he had in fact the year before notified Cincinnati Bell that he would not extend the contract for a year but rather go month to month. The customer service rep indicated that they could go back and recalculate on a month to month rate to which Mr. Pustinger said he could not agree to that since he was not informed of a different rate for month to month service a year earlier when he had expressed his desire to go month to month.

Cincinnati Bell clearly makes communicating with the company onerous and in this instant failed to present pricing for month to month upfront when the request was timely made to go from an annual contract to a month to month arrangement. Further, once it became clear that they had lost the account they became adversarial. Knowing that the amount in dispute was being challenged with the PUCO, Cincinnati Bell sent a final notice which included a threat of turning the matter over to a collection agency. Cincinnati Bell has operated in bad faith and has failed to deal fairly.

A Bottle Or Two requests that the PUCO finds Cincinnati Bell not entitled to any additional payment and instruct Cincinnati Bell to recall the bill if in fact it was turned over to a collection agency. Further, A Bottle Or Two requests the PUCO to require Cincinnati Bell to correct any wrongful reporting of A Bottle Or Two to any and all credit agencies. Further, Cincinnati Bell should be required to provide a domestic point of contact for customers who request to speak to a representative physically located within the United States.