

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
JAMES ANDERSON,**

COMPLAINANT,

CASE NO. 18-301-TP-CSS

v.

FRONTIER NORTH, INC.

RESPONDENT.

ENTRY

Entered in the Journal on November 1, 2019

{¶ 1} 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.

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

{¶ 3} On February 20, 2018, James Anderson (Complainant) filed a complaint against Frontier. In his complaint, he alleges that Frontier's service has been unreliable and at times unavailable. He also alleges that Frontier has billed him improperly and provided poor customer service. Attached to the complaint is a debt collection notice in the amount of \$182.11 owed to Frontier.

{¶ 4} Frontier filed an answer to the complaint on March 12, 2018, in which it denied the material allegations of the complaint. Frontier admits that it referred the amount of \$182.11 to a debt collection service.

{¶ 5} By Entry dated May 2, 2018, the attorney examiner scheduled a settlement conference, which occurred on May 31, 2018, in accordance with Ohio Adm.Code 4901-1-26(F). However, the parties were unable to resolve all issues raised in the complaint.

{¶ 6} Pursuant to the Entry of March 5, 2019, a hearing in this matter was scheduled for April 30, 2019.

{¶ 7} On April 25, 2019, Frontier filed a notice of settlement and a motion to cancel the hearing. In support of its motion, Frontier states that the parties have resolved the dispute, pending execution of a standard settlement agreement.

{¶ 8} On May 20, 2019, Complainant filed a notice of dismissal with prejudice “pending promises by Frontier.”

{¶ 9} On July 8, 2019, Frontier filed a motion to dismiss. In support of its request, Frontier represents that the parties have executed a settlement agreement resolving all matters.

{¶ 10} On July 26, 2019, Complainant submitted a filing in opposition to Frontier’s motion to dismiss. Among other things, Complainant contends that Frontier has failed to honor the terms of the settlement agreement.

{¶ 11} Based on Complainant’s July 26, 2019 objections, Frontier’s motion to dismiss was denied pursuant to the attorney examiner Entry of August 1, 2019. Additionally, the Commission scheduled a hearing in this matter, which was to commence on September 9, 2019, at the offices of the Commission.

{¶ 12} On August 6, 2019, Frontier filed a motion to enforce the May 20, 2019 settlement agreement. In support of its motion, Frontier disputes Complainant’s assertions in his July 26, 2019 filing. Further, Frontier states that it has fully complied with all terms of the settlement agreement. Therefore, Frontier requests that the scheduled hearing be converted to a hearing on enforcement of the settlement agreement.

{¶ 13} Additionally, Frontier requested that the hearing be rescheduled to Tuesday, September 10, 2019, at 1:00 p.m., due to conflicts of Frontier’s representative.

{¶ 14} On August 23, 2019, Complainant contacted the attorney examiner and requested that the hearing be delayed until sometime in October 2019, due to personal reasons.

{¶ 15} Pursuant to the Entry of August 23, 2019, the hearing in this matter was postponed.

{¶ 16} On or about October 21, 2019, Complainant notified the Legal Department that he is still unable to proceed with his case due to personal reasons.

{¶ 17} Complainant is directed to formally notify the Commission on or before November 29, 2019, as to the date within the next three months that he will be prepared to go forward with the formal hearing in this case. Failure to provide such notification may result in the recommended dismissal of his complaint.

{¶ 18} It is, therefore,

{¶ 19} ORDERED, That Complainant comply with the directive set forth in Paragraph 17. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jay S. Agranoff

By: Jay S. Agranoff
Attorney Examiner

JRJ/mef

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in

Case No(s). 18-0301-TP-CSS

Summary: Attorney Examiner Entry directing complainant to notify the Commission by 11/29/19 electronically filed by Ms. Mary E Fischer on behalf of Jay S. Agranoff, Attorney Examiner, Public Utilities Commission of Ohio