

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Samuel Jarrell,	:	
	:	
Complainant.	:	
	:	Case No. 20-1508-TP-CSS
	:	
vs.	:	
	:	
	:	
Frontier North Inc.,	:	
	:	
Respondent.	:	

**ANSWER AND AFFIRMATIVE DEFENSES OF
FRONTIER NORTH, INC.**

Frontier North Inc., incorrectly identified on the Complaint as Frontier (“Frontier”), appearing specially, and through its counsel, answers the Complaint of Samuel Jarrell (“Complainant”) and raises its affirmative defenses thereto as follows.

A. GENERAL DEFENSE

Frontier has reviewed the Repair Ticket History for Complainant and the Repair Ticket Histories for the individuals who signed the second page of the Complaint. Two of the individuals disconnected service with Frontier in June 2016 and July 2017. Several of the individuals had no repair tickets during the calendar year 2020. Complainant had two Repair Tickets in August 2020, one of which was repaired within approximately 30 hours, and the other of which was repaired within approximately 40 hours.

B. ANSWER

1. In response to the first page of the Complaint and to the allegation “Part Time service / Full Time Bill!”, Frontier lacks knowledge upon which to form a response as the

statement is unclear. To the extent a response is needed, Frontier denies the allegation and denies that any regulatory provision has been violated with respect to Complainant's service.

2. In response to the second page, the quoted material appears to be the version of Ohio Revised Code § 4905.26 that was effective prior to 2010. The quoted material was deleted in its entirety with the 2009 Ohio Senate Bill 162. The current version of Ohio Revised Code § 4905.26 provides:

Upon complaint in writing against any public utility by any person, firm, or corporation, or upon the initiative or complaint of the public utilities commission, that any rate, fare, charge, toll, rental, schedule, classification, or service, or any joint rate, fare, charge, toll, rental, schedule, classification, or service rendered, charged, demanded, exacted, or proposed to be rendered, charged, demanded, or exacted, is in any respect unjust, unreasonable, unjustly discriminatory, unjustly preferential, or in violation of law, or that any regulation, measurement, or practice affecting or relating to any service furnished by the public utility, or in connection with such service, is, or will be, in any respect unreasonable, unjust, insufficient, unjustly discriminatory, or unjustly preferential, or that any service is, or will be, inadequate or cannot be obtained, and, upon complaint of a public utility as to any matter affecting its own product or service, if it appears that reasonable grounds for complaint are stated, the commission shall fix a time for hearing and shall notify complainants and the public utility thereof. The notice shall be served not less than fifteen days before hearing and shall state the matters complained of. The commission may adjourn such hearing from time to time.

The parties to the complaint shall be entitled to be heard, represented by counsel, and to have process to enforce the attendance of witnesses.

To the extent that a response is required, Frontier denies the allegations on page two of the Complaint.

C. AFFIRMATIVE DEFENSE

1. The Complaint fails to allege any violation of any rule(s), regulation(s) or law(s), or that any rate or service charge was unreasonable or unjust, that would constitute a violation of any sort of any unlawful action, and thus, the Complaint should be dismissed.

2. To the extent that Complainant intends to assert any allegations on behalf of the individuals who personally signed the second page of the Complaint, Complainant lacks standing to assert any allegations on their behalf, among other concerns.

3. Frontier reserves the right to raise additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as may become necessary during the investigation and discovery of this matter.

WHEREFORE, Frontier requests that the Complaint be dismissed with prejudice.

Respectfully submitted,

FRONTIER NORTH INC.

/s/ Michele Noble
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Counsel for Frontier North Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer and Affirmative Defenses of Frontier Communications, Inc., was filed electronically and provided to the person listed below by U.S. mail, postage prepaid, October 6, 2020:

Samuel Jarrell
3272 C-Big Pete Road
Franklin Furnace, Ohio 45629

/s/ Michele Noble_____

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 20-1508-TP-CSS

Summary: Answer electronically filed by Michele L Noble on behalf of Frontier North Inc.