

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Marshall G. Hiles,)	
)	
Complainant,)	
)	
v.)	
)	Case No. 20-84-TP-CSS
United Telephone Company of Ohio d/b/a)	
CenturyLink,)	
)	
Respondent.)	
)	

**UNITED TELEPHONE COMPANY OF OHIO D/B/A CENTURYLINK’S REPLY
TO COMPLAINANT’S APPLICATION OF REHEARING**

On March 24, 2021, the Public Utilities Commission of Ohio (“Commission”) issued a Finding and Order dismissing this complaint for lack of subject matter jurisdiction and failure to state reasonable grounds upon which relief can be granted (the “Order”). The Commission correctly found that (1) it lacks subject matter jurisdiction over this complaint involving bundled services, because such complaints are not “specifically authorized” by Chapter R.C. 4927 (R.C. 4927.03); and, (2) it lacks authority in tort to provide relief as monetary damages, as Complainant requests. R.C. 4927.21(B); *Allstate Ins. Co. v. Cleveland Elec. Illum. Co.*, 119 Ohio St.3d 301, 2008-Ohio-3917, 893 N.E.2d 824; *Skotynsky v. Ohio Bell*, Case No. 17-2554-TP-CSS, Entry (June 6, 2018) at 6. See Order at ¶ 17.

Complainant filed an application for rehearing of the Order on April 9, 2021. In his application for rehearing, Complainant generally restates the facts and allegations from his complaint (filed January 13, 2020), and from his response to Respondent’s motion to dismiss (filed April 2, 2020). In its Order, the Commission fully considered the applicable law related to subject matter jurisdiction. It also fully considered the facts and allegations in Complainant’s complaint, and the arguments in his response to Respondent’s motion to dismiss. See Order at

¶17. Because the Complainant raises no new arguments for the Commission's consideration, Complainant's application for rehearing should be denied. See, *In the Matter of the Application of Cincinnati Bell Telephone*, Case No. 06-1002-TP-BLS, 2007 WL 208510, Entry on Rehearing (January 31, 2007); *In the Matter of the Application of The Ohio Bell Telephone Company dba AT&T Ohio*, Case No. 07-259-TP-BLS, 2007 WL 2403286, Entry on Rehearing (August 27, 2007); *In the Matter of the Application of United Telephone Company of Ohio d/b/a Embarq*, Case No. 07-760-TP-BLS, 2008 WL 449797, Entry on Rehearing (February 13, 2008).

For the above reasons, the Order should be affirmed on rehearing.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Reply to Complainant's Response to Respondent's Motion to Dismiss* has been served upon the following party by regular U.S. Mail
this 15th day of April 2021.



Dane Stinson

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4/15/2021 1:05:12 PM

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Case No(s). 20-0084-TP-CSS

Summary: Reply of United Telephone Company of Ohio d/b/a CenturyLink to Complainant's Application of Rehearing electronically filed by Teresa Orahod on behalf of Dane Stinson