

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Bart's Cleaners, Inc.,)	
)	
Complainant,)	
)	
v.)	Case No. 04-127-TP-CSS
)	
Cinergy Communications Company,)	
CoreComm Newco, Inc., and SBC Ohio,)	
)	
Respondents.)	

ENTRY

The Attorney Examiner finds:

- (1) By entry issued December 14, 2004, the hearing in this matter was rescheduled to commence on January 25, 2005, at 10:00 a.m., at the Commission's offices.
- (2) On January 11, 2005, complainant's counsel filed a motion to continue the hearing. Counsel for the complainant states that he is involved in a criminal proceeding in Licking County which is set for hearing on January 24, 2005. The motion further states that all parties are available to continue the hearing until the week of March 14, March 28 or the month of April 2005.
- (3) The Attorney Examiner notes that Bart's Cleaners filed this complaint with the Commission almost a year ago and, since all the above noted parties were joined in this matter, the case has been scheduled for hearing on three occasions but has not gone forward. For that reason, the Attorney Examiner finds it appropriate to inform the parties that further requests for a continuance of the hearing in this matter are strongly discouraged absent extenuating and unforeseeable

circumstances. Nonetheless, the current request for a continuance in this case will be granted.

- (4) Accordingly, the hearing is rescheduled to commence on March 30, 2005, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-G, Columbus, Ohio 43215-3793. All direct expert testimony shall be filed with the Commission by no later than March 23, 2005.

It is, therefore,

ORDERED, That the complainant's request for a continuance of the hearing in this matter is granted and the hearing is rescheduled to commence on March 30, 2005, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-G, Columbus, Ohio. It is, further,

ORDERED, That all direct expert testimony be filed with the Commission by no later than March 23, 2005. It is, further,

ORDERED, That a copy of this entry be served upon the complainant and his counsel, Cinergy, SBC and CoreComm and their respective counsel, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Greta See
Attorney Examiner

/vrn

Entered in the Journal



Renee J. Jenkins
Secretary

This document was filed with PUCO Docketing on

1/14/2005 @ 1:08:15 PM