BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Public Relations Partners, Inc.,	)	
Complainant,	)	
v.	)	Case No. 00-532-TP-CSS
Ameritech Ohio, NOW Online, Inc., and Integrated Network Concepts,	)	
Respondents.	)	

ENTRY

The attorney examiner finds:

(1) On March 21, 2000, Public Relations Partners, Inc. (PRP or complainant) filed a complaint against Ameritech Ohio (Ameritech), Now Online, Inc. (NOL), and Integrated Network Concepts alleging that, on October 10, 1999, Ameritech installed a DS-1 line at the complainant's premises without the complainant's valid authorization and, since November 1, 1999, has been attempting to assess monthly line service charges on that line based on a forged 60-month contract. The complaint further alleges that, on numerous occasions, an NOL salesperson has offered "to take care of Ameritech's charges" if PRP would agree to make NOL its internet service provider.

The complaint alleges that "it was apparent" when Ameritech arrived on October 10, 1999 to install the line that this same salesperson for NOL had "told Ameritech to come to PRP's office [to] install the line without our permission." On that day, according to the complaint, PRP "allowed the line to be installed, but requested that it not be connected. At no time was the line ever connected or used."

According to the complaint, when Denise Hrobat, the person responsible for technology and information services for PRP, contacted Ameritech directly on January 20, 2000 to cancel the line, she was told that PRP "would have to pay all the line charges plus a hefty cancellation fee for breaking a 60-month contract." PRP denies ever entering into such a contract.

The complaint recites that, upon making further inquiries, Ms. Hrobat received, by e-mail dated February 11, 2000 from NOL, and later by fax dated February 16, 2000 from Integrated Network Systems, a copy of what purports to be a 60-month contract for DS-1 service between Ameritech and PRP, signed by Ms. Hrobat on behalf of PRP. Both the e-mailed and the faxed copies of the contract, which were included among the exhibits to the complaint, purport to include what the complainant alleges is a forged signature of Ms. Hrobat. Both also purport to identify "Kevin Flanagan" as the name of the involved Ameritech sales representative and to identify Mr. Flanagan's company as "Integrated Network Concepts". However, only the latter copy (i.e., faxed from Integrated Network Concepts) purports to bear a signature of Kevin Flanagan, in the space labeled "Authorized Ameritech Signature".

The complainant claims that it has no responsibility for Ameritech charges that result from a forged contract. The complaint prays that the Commission investigate the actions of the three respondents in this matter and take appropriate action.

(2) On April 12, 2000, Ameritech filed its answer to the complaint, setting forth several affirmative defenses. In its answer, Ameritech admits that it installed certain telecommunications services at the complainant's premises, but alleges it did so pursuant to a validly executed contract. Ameritech claims it was never paid by the complainant for the services it provided and denies every other allegation of the complaint.

(3) This case should be set for a prehearing conference on September 26, 2000, at 1:30 p.m., at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. The purpose of the settlement conference is to determine whether this matter can be resolved informally. In the event that a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues at the conclusion of the settlement conference. Procedural issues for discussion may include any discovery dates, possible stipulations of facts, and potential hearing dates.

(4) On April 17, 2000, Ameritech filed a motion requesting that the Commission issue an order requiring the complainant to be represented by a licensed attorney at law. In support of this motion, Ameritech asserts that since the complainant appears to be a corporation, it should be directed to comply with Rule 4901-1-08(A), of the Ohio Administrative Code (O.A.C.) That rule requires corporations to be represented by attorneys-at-law when they appear in legal proceedings before the Commission.

(5) The purpose of the prehearing settlement conference will be mediation between the parties, rather than to establish an evidentiary record. Accordingly, although it shall in no way be precluded from doing so, at this juncture the complainant need not engage an attorney-at-law to represent its interests at the scheduled prehearing. Rather, the complainant will be permitted, if it chooses to do so, to designate a non-attorney spokesperson to represent its interests at the settlement conference. However, the designated spokesperson must have the authority, at the settlement conference, to enter into a negotiated settlement on behalf of the party on whose behalf it is acting as a spokesperson. Moreover, it will be necessary for the complainant, as a corporation, to engage an attorney-at-law to represent its interests during any subsequent stage of these proceedings.

It is, therefore,

ORDERED, That, in accordance with the above findings, a prehearing settlement conference be held on September 26, 2000, at 1:30 p.m., at the offices of the Commission. It is, further,

ORDERED, That a copy of this entry be served upon the complainant; upon Ameritech and its counsel; upon NOL, 781 Beta Drive, Mayfield Heights, Ohio 44143; upon Integrated Network Concepts, 33059 Lake Road, Avon Lake, Ohio 44012, and upon all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Daniel E. Fullin
Attorney Examiner

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Entered in the Journal
SEP 11 2000
A True Copy

Gary E. Vigorito
Secretary

SERVICE NOTICE PAGE 1

CASE NUMBER 00-532-TP-CSS

CASE DESCRIPTION PUBLIC RELATIONS PARTNERS/AMERITECH

DOCUMENT SIGNED ON September ~~12,~~ 11 2000

DATE OF SERVICE 9-11-00

PERSONS SERVED

PARTIES OF RECORD	ATTORNEYS
COMPLAINANT	
PUBLIC RELATIONS PARTNERS INC. DENISE HROBAT 6100 ROCKSIDE WOODS BLVD, SUITE 350 INDEPENDENCE, OH 44131	NONE
RESPONDENT	
AMERITECH OHIO JON F. KELLY 150 E. GAY STREET ROOM 4-C COLUMBUS, OH 43215	JON F. KELLY LEGAL DEPARTMENT AMERITECH OHIO 150 E. GAY STREET, ROOM 4-C COLUMBUS, OH 43215 WILLIAM H. HUNT LAW OFFICES OF WILLIAM H. HUNT BANK ONE CENTER, SUITE 1300 600 SUPERIOR AVENUE EAST CLEVELAND, OH 44114-2650

---------- INTERESTED PARTIES ----------

TOM BESORE 34 SOUTH MAIN STREET CHAGRIN FALLS, OH 44022	NONE