

BEFORE

## THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of  
Rhondalyn M. Turner,

Complainant,

v.

MCImetro Access Transmission Services LLC  
dba Verizon Access Transmission Services,

Respondent.

Case No. 07-575-TP-CSS

ENTRY

The attorney examiner finds:

- (1) On May 11, 2007, Rhondalyn M. Turner (complainant) filed a complaint against MCImetro Access Transmission Services LLC dba Verizon Access Transmission Services (MCImetro) alleging that, although she had applied for and been charged for service, MCImetro service was not available in her area. As relief, Ms. Turner requested that all charges, late fees, and any reports to credit bureaus reflect that she owes MCImetro \$0 and that no derogatory comments be reflected on her account. Ms. Turner also requested a letter verifying the above from MCImetro.
- (2) MCImetro filed an answer asserting that the complainant was credited the prorated charges of \$1.69 for an optional deregulated service for which she had been billed. MCImetro maintains that the company did not report the \$1.69 amount or any other amount to any credit reporting bureaus. Respondent asserts that Ms. Turner has been advised of these actions by mail but that complainant has failed to contact the company to advise if there are any other remaining issues requiring resolution. As an affirmative defense, MCImetro claims that the complainant has received the relief she requested. Therefore, this matter should be dismissed and closed of record.

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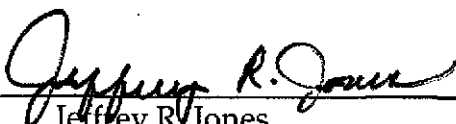
- (3) The attorney examiner construes MCImetro's affirmative defense as a motion to dismiss this complaint under the authority of Rule 4901-9-01(F), Ohio Administrative Code (O.A.C.), as the complaint has been satisfied. Rule 4901-9-01(F), O.A.C., provides that, if the public utility complained against files an answer or motion which asserts that the complaint has been satisfied and no response is filed within 20 days, the Commission may presume that satisfaction has occurred and dismiss the complaint. Ms. Turner will have 20 days from the date of this entry to file a response indicating whether she agrees or disagrees with MCImetro's assertions and whether she wants to pursue the complaint. If no response is filed within 20 days of the date of this entry, the attorney examiner will recommend to the Commission that this matter be dismissed.

It is, therefore,

ORDERED, That Ms. Turner has 20 days from the date of this entry to file a response or this matter will be recommended for dismissal as set forth in finding 3. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

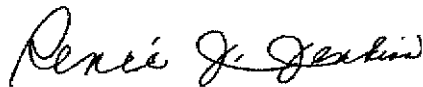
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Jeffrey R. Jones  
Attorney Examiner

R26 /ct

Entered in the Journal

JUL 23 2007



Renee J. Jenkins  
Secretary