

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Rhondalyn M. Turner,)	
)	
Complainant,)	
)	
v.)	Case No. 07-575-TP-CSS
)	
MCImetro Access Transmission Services LLC)	
dba Verizon Access Transmission Services,)	
)	
Respondent.)	

ENTRY

The Commission 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 maintained that the company did not report the \$1.69 amount or any other amount to any credit reporting bureaus. Respondent asserted that Ms. Turner has been advised of these actions by mail but that complainant had failed to contact the company to advise if there are any other remaining issues requiring resolution. As an affirmative defense, MCImetro claimed that the complainant has received the relief she requested. Therefore, MCImetro averred that this matter should be dismissed and closed of record.

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- (3) By entry issued on July 23, 2007, the attorney examiner construed 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 was afforded 20 days from the date of July 23, 2007, entry to file a response indicating whether she agreed or disagreed with MCImetro's assertions and whether she wanted to pursue the complaint. Further, complainant was advised that if no response was filed within 20 days of the date of the July 23, 2007, entry, the attorney examiner would recommend to the Commission that this matter be dismissed.
- (4) Nothing further has been filed in response to the July 23, 2007, entry. Accordingly, this matter should now be dismissed without prejudice under the authority of Rule 4901-9-01(F), O.A.C.

It is, therefore,

ORDERED, That this matter be dismissed without prejudice in accordance with finding 4. It is, further,

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

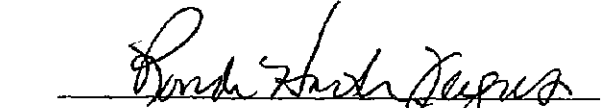
THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



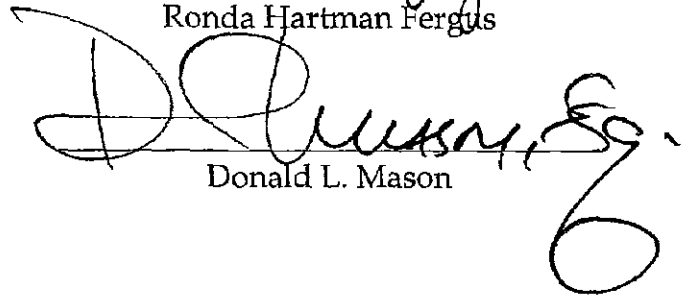
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie



Donald L. Mason

JRJ:ct

Entered in the Journal

AUG 29 2007



Renee J. Jenkins
Secretary