

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Bertha C. Tanner,)	
)	
Complainant,)	
)	
v.)	Case No. 09-343-TP-CSS
)	
AT&T Ohio,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On April 17, 2009, the complainant, Bertha C. Tanner, filed a complaint in this case against the respondent, AT&T Ohio (AT&T). The complaint alleges that, by phone request, the complainant's boyfriend asked AT&T to change to the first of every month, the date on which her phone bill would arrive. According to the complaint, AT&T denied this request. After this, the complainant called the office of her Congresswoman, Betty Sutton. The complaint states that Congresswoman Sutton "got AT&T to cooperate for two to three months." After this period however, according to the complaint, AT&T "went back to billing the old way, then stopped sending us a bill at all." The complainant believes AT&T deliberately acted in this way in order to initiate "an act of disconnection due to the intervention of Congresswoman Betty Sutton."
- (2) On May 11, 2009, the respondent, through counsel, filed an answer to the complaint. Among other things, AT&T admits that the complainant is its residential customer. AT&T avers that it advised the complainant that her "anticipated receipt date" would change starting with her March 28, 2009, bill. According to the answer, the complainant explained to AT&T's counsel that she did not understand why her April 2009 bill was so high, and therefore filed this complaint. AT&T avers that it addressed the complainant's concerns regarding long distance charges by disconnecting her long distance service at her request. AT&T avers that it will set up a payment arrangement for the complainant. AT&T, in its answer,

denies for lack of knowledge, the allegations regarding Congresswoman Betty Sutton's involvement with the complainant's concerns related to the complaint. In its answer, AT&T denies any other allegations of the complaint not expressly admitted, avers that it has breached no legal duty owing the complainant, claims that its service and practices at all relevant times have been in accordance with all applicable law and accepted industry standards and, finally, says that the complaint fails to state reasonable grounds for proceeding to a hearing as required by Section 4905.26, Revised Code.

- (3) This case should be set for a prehearing settlement conference on July 14, 2009, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-B, Columbus, Ohio 43215-3793. The purpose of the settlement conference is to determine whether this matter can be resolved informally.

It is, therefore,

ORDERED, That a prehearing settlement conference be held in accordance with 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: 
Daniel E. Furlin
Attorney Examiner

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geb
Entered in the Journal

JUN 25 2009



Renee J. Jenkins
Secretary