

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Carl
Blankenship,

Complainant,

v.

AT&T Ohio and Clear Rate Communications,

Respondents.

Case No. 09-508-TP-CSS

ENTRY

The attorney examiner finds:

- (1) On June 16, 2009, Mr. Carl Blankenship filed a complaint against AT&T Ohio and Clear Rate Communications.
- (2) On June 30, 2009, AT&T Ohio docketed a letter stating its belief that a settlement of this complaint had been reached on an informal basis. Citing to Rule 4901-1-9-01(F), Ohio Administrative Code (O.A.C.), AT&T Ohio asserts that the Commission can dismiss this matter should the complainant not file a written response disagreeing with this assertion within 20 days.
- (3) Rule 4901-1-9-01(F), O.A.C., states in part that should a public utility file a pleading asserting that the complaint has been satisfied or that the case has been settled, the complainant shall have 20 days to file a written response as to whether the complainant agrees or disagrees with the utility's assertion and whether he or she wishes to pursue the complaint. If no response is filed within 20 days, the Commission may presume that satisfaction or settlement of the complaint has occurred and dismiss the complaint. Accordingly, should Mr. Blankenship disagree with AT&T Ohio's assertion that this matter has been settled, he should make the requisite filing by no later than July 20, 2009.

It is, therefore,

ORDERED, That complainant be afforded 20 days to respond as discussed 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

Jeffrey R. Jones
By: Jeffrey R. Jones
Attorney Examiner

vrk
/vrm

Entered in the Journal

JUL 02 2009

Renee J. Jenkins

Renee J. Jenkins
Secretary