

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Mary Bajus, R.N.)	
)	Case No. 09-603-TP-CSS
Complainant,)	
)	
v.)	
)	
AT&T Ohio,)	
)	
Respondent.)	

ANSWER OF AT&T OHIO

Now comes AT&T Ohio, Respondent herein, and for its Answer to the Complaint states as follows:

1. AT&T Ohio admits that Complainant had a business line that she terminated on January 4, 2008.

2. AT&T Ohio denies for lack of information that Complainant was advised that if she waited until January 2008 to disconnect her business line she would still be listed in the 2008 Yellow Pages.

3. AT&T Ohio avers that only active business listings that were connected on or before January 21, 2008 would be published in the directory.

4. AT&T Ohio states that the Commission is without jurisdiction to adjudicate the Complainant's claims regarding Yellow Pages directory listings.
5. AT&T Ohio states that the Commission lacks jurisdiction to award any form of damages to Complainant, including, but not limited to, damages reflecting loss of revenue.
6. AT&T Ohio states that the Commission lacks jurisdiction to award any form of damages under Ohio Revised Code Sections 4165.02 and 4165.03.
7. AT&T Ohio denies any other allegation of the Complainant not expressly admitted herein.
8. AT&T Ohio says that it has breached no legal duty owing Complainant and that its service and practices at all relevant times have been in full accordance with all applicable provisions of law and accepted standards within the telephone industry.
9. The Complaint fails to state reasonable grounds for proceeding to hearing as required by §4905.26, Revised Code.

Wherefore, having fully answered, Respondent requests that the Complaint be dismissed.

Respectfully submitted,

AT&T Ohio

By: /s/Mary Ryan Fenlon

Mary Ryan Fenlon
Trial Attorney
150 East Gay Street, Rm. 4A
Columbus, Ohio 43215
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following party by depositing it in the U.S. Mail, postage prepaid, this 10th day of August 2009.

Mary Bajus, R.N.
7041 Corporate Way
Dayton, Ohio 45459
(937) 901-9109

/s/ Mary Ryan Fenlon

Mary Ryan Fenlon

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Case No(s). 09-0603-TP-CSS

Summary: Answer of AT&T Ohio to complaint filed by Mary Bajus electronically filed by Ms. Mary K. Fenlon on behalf of AT&T Ohio