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October 29, 2009

Via Regular U.S Mail**Public Utilities Commission of Ohio
Attn: Docketing
180 E. Broad Street
Columbus, Ohio 43215**

PUCO

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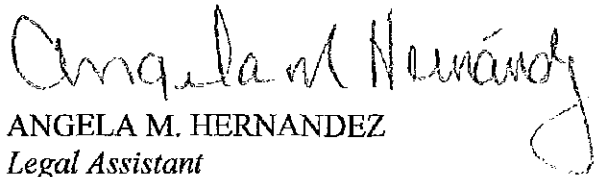
RECEIVED-DOCKETING DIV

**RE: Paul Miracle dba Chef's Touch Catering and Linden House Banquet
Center v. AT&T Ohio
Case No.**

To Whom It May Concern:

Please find enclosed herewith the Formal Complaint to be filed in connection with the above captioned matter. Please forward back a time stamped copy of the same with the enclosed self addressed envelope. Please feel free to contact this office with any correspondence. Thank you.

Very Truly Yours,


ANGELA M. HERNANDEZ
Legal Assistant

Enclosures

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BEFORE THE OHIO PUBLIC UTILITIES COMMISSION

CASE NO. 09-1024-TP-CSS
Public Utilities Commission of Ohio
Attn: Docketing
180 E. Broad Street
Columbus, Ohio 43215

**FORMAL COMPLAINT FORM
(R.C. § 4905.26)**

**Paul Miracle
Dba Chef's Touch Catering and
Linden House Banquet Center
15 West Linden Avenue
Miamisburg, Ohio 45342
Acct(s): 937-847-2717 813 3
937-847-3972
937-847-9677**

Customer

v.

**AT&T Ohio
150 E. Gay Street
Columbus, Ohio 43215**


Utility Company

-
1. Consumer states that at all relevant times he was a resident of the State of Ohio and County of Montgomery and engaged in business as a food and beverage caterer.
 2. Consumer further states that at all relevant times AT&T Ohio was duly registered in the State of Ohio and was engaged in business as a provide of telecommunication services.
 3. Consumer further states that in or about 2003, Consumer contracted with the Utility Company predecessor for a listing in the Middletown, Ohio yellow pages.

4. Consumer further states that despite promising to do so, the Utility Company's predecessor failed to place Consumer's ad in the Middletown yellow pages.
5. Consumer further states that following said failure to place Utility Company's ad, a dispute arose between the parties as to the amount due from Consumer to Utility Company for telecommunication and advertising services.
6. Consumer further states that despite over fifty (50) attempts to resolve the dispute between the parties, Utility Company has ignored and continues to ignore Consumer's overtures, and continues to attempt to collect the balance allegedly due Utility Company for services Consumer contends it did not deliver and/or are offset by Utility Company's predecessor's aforesaid failure to perform as agreed.
7. Consumer further states that in an attempt to force or otherwise unlawfully coerce Consumer to pay the dispute sum, Utility Company purposely failed to provide Consumer white pages listing; failed to provide directory assistance to Consumers' customers and potential customers; failed to provide Consumer's business information to other telecommunications providers and otherwise intentionally caused Consumer harm. These efforts were on-going until and including February of 2009.
8. Consumer states that Utility Company has violated the following portions of the Ohio Revised Code and Ohio Administrative Code and the common law of the State of Ohio:
 - a. Utility Company has applied late charges in violation of OAC 4901:1-5-07(a);
 - b. Utility Company has failure to provide accurate billings in violation of OAC 4901:1-5-07;
 - c. Utility Company has violated former OAC 4901:1-5-16(F) by failing to provide the appropriate credits to Customer's billings;
 - d. Utility Company has violated former OAC 4901:15-06(B)(1) by purposely failing to provide Consumer with the required listings;
 - e. Utility Company has violated former OAC 4901:1-5-12(D) and (E) by failing to provide intercept service and a new telephone number free of charge;

- f. Utility Company has violated OAC 4901:1-5-03 by failing to provide Consumer reasonable access to company representatives for the purposes of resolving this matter;
 - g. Utility Company has unjustly discriminated against Customer in violation of R.C. § 4905.26 by purposely failing to provide Consumer the services that Consumer is entitled and that the Utility Company regularly and uniformly provides to its other customers in an intentional effort to harm Customer's business; and
 - h. Utility Company has provided false information in connection with the services that it provided Consumer in a purposeful attempt to defraud and otherwise harm Consumer and collect the aforesaid unlawful charges.
9. As a direct and proximate result of Utility Company's illegal conduct, Consumer has been harmed in an amount exceeding Twenty Five Thousand Dollars, including but not limited to reasonable attorney fees. The exact amount of Consumer's damages will be set forth at the hearing on this matter.

Respectfully Submitted,



RICHARD B. REILING #0066118
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Attorney for Customer

VERIFICATION

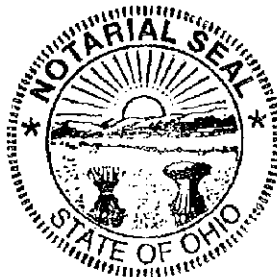
STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

Now comes Paul Miracle being first duly cautioned and sworn according to law, deposes and says that he has read the foregoing Complaint, and that the same is true to the best of his knowledge and belief, based upon information presently available to him.

Paul Miracle
Paul Miracle

Sworn to before me, and notary public in and for said state and county, and subscribed in my presence by the aforesaid Paul Miracle, this 27 day of October 2009.

NOTARY PUBLIC



R.B. REILING, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03 D. R. C.