

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of)	
Nationwide Biweekly Administration,)	
Inc., Complainant,)	
)	Case No. 11-2767-TP-CSS
v.)	
)	
Velocity The Greatest Phone)	
Company Ever, Inc.)	
7130 Spring Meadow West Drive)	
Holland, OH 43528, Respondent)	
)	
Relative to a Billing Dispute and)	
Threat of Disconnection)	

COMPLAINT

Pursuant to Sections 4927.21 and 4927.06, Revised Code and Rules 4901:1-6-16 and 4901:1-6-17 of the Ohio Administrative Code, Nationwide Biweekly Administration, Inc. (“Nationwide Biweekly”) respectfully files this complaint against Velocity The Greatest Phone Company Ever, Inc. (“Velocity”) and alleges the following:

1. Nationwide Biweekly is an Ohio corporation with offices at 855 Lower Bellbrook Road, Xenia, Ohio 45385. It is engaged in the financial services business as an Ohio licensed money transmitter, in connection with biweekly payments for mortgages and other debt to its customers’ lenders. It has over 70,000 customers and is regulated by the Ohio Department of Commerce, Division of Financial Institutions.

2. Velocity is a telephone company pursuant to Section 4927.01(A)(13), Revised Code and is subject to the jurisdiction of this Commission.

3. Velocity is certified as a competitive local exchange carrier to provide competitive local exchange services in certain specified telephone exchanges and to provide competitive telecommunication services throughout Ohio pursuant to the Revised Certificate No. 90-9374 issued in Case No. 09-771-TP-ACE.

4. Nationwide Biweekly relies heavily on telecommunications services and receives such telecommunications services from Velocity and is a customer of Velocity.

5. Nationwide Biweekly has been a customer of Velocity since 2007.

6. Among the services received from Velocity, Nationwide Biweekly has access to certain T-1 lines.

7. On or about October, 2010, Nationwide Biweekly received bills from Velocity which reflected a forty percent increase over previous bills.

8. Upon inquiry by Nationwide Biweekly, Velocity was not able to explain the increased charges, fees and taxes in a manner that was clear and not misleading.

9. Subsequent to Nationwide Biweekly informing Velocity that it was considering switching service to another supplier of telecommunications services, Velocity added on additional charges to the April invoice to Nationwide Biweekly, raising the invoice to over \$133,000.00 from the previous \$7,000.00 to 8,000.00 range.

10. Nationwide Biweekly has refused to pay for such increased charges until and unless a clear explanation is provided for all such billed charges, fees and taxes so that they are

clear and not misleading. Nationwide has paid the undisputed portion of the bill, of \$7471.26, which has been received by Velocity.

11. Velocity has threatened to disconnect service to Nationwide Biweekly unless additional charges are paid.

12. Rule 4901:1-6-16 of the Ohio Administrative Code prohibits telephone companies, such as Velocity, from committing any unfair or deceptive act or practice in connection with the offering or provision of any telecommunications service in this state.

13. Rule 4901:1-6-17(A) of the Ohio Administrative Code requires every telephone company to “comply with the Federal Communications Commission’s Truth in Billing Requirements in 47 C.F.R. 64.201 and shall, in accordance with those requirements, accurately identify on every bill all services rendered, the providers of those services, and all billed charges, fees and taxes so that they are clear and not misleading.”

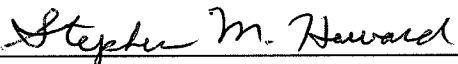
14. Nationwide Biweekly alleges that Velocity has committed an unfair or deceptive act or practice and has not complied with the requirements of Rule 4901:1-6-17 of the Ohio Administrative Code by not providing a clear and not misleading explanation of the increased charges on its bill.

15. Threatening to disconnect service to Nationwide Biweekly if certain invoices are not paid despite the fact that no clear and not misleading explanation was ever given is an unfair and deceptive act or practice in connection with the offering of any telecommunications service in this state and violates Rule 4901:1-6-16 of the Ohio Administrative Code.

16. Nationwide Biweekly submits that reasonable grounds for this complaint have been alleged and that the Commission should direct Velocity to refrain from disconnecting service to Nationwide Biweekly until this complaint can be heard and the matter resolved.

WHEREFORE, Nationwide Biweekly respectfully requests that the Commission find that reasonable grounds for this complaint exist, that the Commission assert jurisdiction over this matter, that the Commission direct that Velocity refrain from disconnecting service to Nationwide Biweekly pending the resolution of this complaint, and that the Commission hold a hearing in this matter and determine that Velocity has committed an unjust, unreasonable, unjustly discriminatory practice by failing to explain or justify the substantially increased charges on the invoice to Nationwide Biweekly.

Respectfully submitted,


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Case No(s). 11-2767-TP-CSS

Summary: Application Complaint electronically filed by Mr. Stephen M Howard on behalf of Nationwide Biweekly Administration, Inc.