

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

2011 MAY 17 PM 5:22

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PUCO

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

**MOTION TO DISMISS**

Pursuant to Rules 4901-1-12 and 4901-9-01 of the Ohio Administrative Code, Nationwide Biweekly Administration, Inc. ("Nationwide Biweekly") respectfully moves to dismiss this complaint against Velocity The Greatest Phone Company Ever, Inc. ("Velocity"). The reasons supporting such motion are set forth in the accompanying memorandum in support.

WHEREFORE, Nationwide Biweekly Administration, Inc. respectfully moves to dismiss this complaint with prejudice.

Respectfully submitted,

Stephen M. Howard

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## MEMORANDUM IN SUPPORT

On April 29, 2011 Nationwide Biweekly filed a complaint against Velocity The Greatest Phone Company Ever, Inc., Respondent, relative to a billing dispute and threat of disconnection. On May 2, a copy of the complaint was mailed to the Respondent. On May 4, the Complainant filed a letter requesting the Commission to provide assistance to prevent the termination of service to Nationwide Biweekly Administration, Inc. On May 4, 2011, the Attorney Examiner issued an Entry pursuant to Rule 4901-9-01(E) of the Ohio Administrative Code finding that the Respondent should not disconnect service to the Complainant during the pendency of this dispute and that the Complainant be instructed to pay during the pendency of this c complaint all amounts to Velocity that are not in dispute.

Subsequent to May 4, 2011, the Complainant and the Respondent were able to reach a settlement of their dispute. Therefore, the Complainant respectfully requests that the Commission dismiss this complaint with prejudice.

WHEREFORE, Nationwide Biweekly Administration, Inc. respectfully requests that the April 29, 2011 Complaint in this matter to dismissed with prejudice.

Respectfully submitted,

Stephen M. Howard

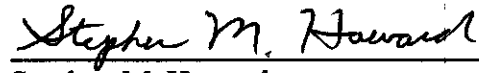
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Attorneys for Nationwide Biweekly Administration, Inc.

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing motion to dismiss was served via first class US mail, postage prepaid, this 17<sup>th</sup> day of May, 2011 upon the following persons:



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