

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

The Frank Gates Service Company,)	
)	
)	Case No. 12-2638-TP-CSS
Complainant,)	
)	
v.)	
)	
AT&T Ohio,)	
)	
Respondent.)	

AT&T OHIO’S MOTION FOR ADDITIONAL TIME TO FILE ITS ANSWER

The Ohio Bell Telephone Company d/b/a AT&T Ohio (“AT&T Ohio”), Respondent herein, pursuant to Ohio Admin. Code §4901-1-12, moves for additional time to file its answer to the complaint filed in this matter on September 28, 2012. At this point in time, AT&T Ohio’s answer is due on October 24, 2012. A memorandum in support is attached.

By: /s/ Mary Ryan Fenlon

Mary Ryan Fenlon (counsel of record)
AT&T Ohio
150 East Gay Street, Rm. 4A
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Its Attorney

MEMORANDUM IN SUPPORT

By this Complaint, The Frank Gates Service Company (“Frank Gates”) seeks to stop AT&T Ohio from collecting outstanding charges for services beginning 2003 through 2011, upon its move to an alternative provider. Preceding this, on July 27, 2012, AT&T Corp. and SBC Global Services, Inc. (AT&T”) filed a complaint against The Frank Gates Service Company (“Frank Gates”) in the United States District Court for the Southern District of Ohio, Case No. 2:12CV 682, seeking collection of outstanding charges in the amount of \$184,967.35. The alleged outstanding amount owing arises from a number of contracts and applicable agreements for a variety of different services and accounts. On October 22, 2012, AT&T and Frank Gates agreed to suspend further action in the district court proceeding pending the outcome of mediation.

In accordance with O.A.C. 4901-9-01, AT&T Ohio was directed to file its answer by October 24, 2012. AT&T Ohio now believes that it would be in the best interest of the Commission and both parties that the time by which its answer to this complaint be extended for 30 days, or until November 23, 2012. In light of the fact that mediation (covering both complaints) will be occurring in the next few weeks, it makes the most sense to await the outcome of the mediation before filing an answer in the instant case.

The number of accounts, contracts and agreements involved in the collection matter are extensive and complex. Because the parties are willing at this point in time to attempt to resolve their outstanding disputes on an informal basis it is possible that the Commission would not have

to expend substantial time and effort in an attempt to resolve the matter. AT&T Ohio reserves its right to file any appropriate motion in addition to its answer at that time.

Plaintiff will not be harmed or disadvantaged by delaying AT&T Ohio's answer filing date. Moreover, counsel has been informed that The Frank Gates Service Company does not object to the request.

For the foregoing reasons, it is in the best interests of the parties and the Commission should grant AT&T Ohio's request to extend the answer date until November 23, 2012.

Respectfully submitted,

By: /s/ Mary Ryan Fenlon

Mary Ryan Fenlon (Counsel of Record)
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Its Attorney

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served via email, on the parties listed below on this 23rd day of October, 2012.

/s/ Mary Ryan Fenlon

Mary Ryan Fenlon

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Case No(s). 12-2638-TP-CSS

Summary: Answer to compliant filed by Frank Gates Company electronically filed by Mrs. Verneda J. Engram on behalf of AT&T Ohio