

FILE

3

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of:

MILLERSVILLE CONSTRUCTION

Complainant,

v.

Case No. 14-0366-TP-CSS

FRONTIER NORTH INC.,

Respondent,

RESPONSIVE TO AFFIRMATIVE DEFENSES AND MOTION TO DISMISS.
OF FRONTIER NORTH INC.

Millersville Construction (MC), by and through its owner, respectfully moves to dismiss Respondent's asserts to an affirmative defense wherein Respondent failed to file a responsive in a timely manner, thus are rights waived. Moreover, did Respondent fail to provide a factual basis to support a dismissal supported by that defense.

B. AFFRIMATIVE DEFENSE

1. Point moot. MC does allege violations throughout the complaint pursuant to (1) Service Agreement, (2) Broadband Schedule, (3) authorities for Intentional Misrepresentation, therefore Complaint should not be dismissed
2. Point moot. Respondent pre assumes invoice monetary amount(s) are lawful
3. Point moot. Wherein the Broadband Schedule and Service Agreement, the term "Promotion" is neither defined nor limited to single service per se, therefore are all services and invoices enjoined to a single suit
4. Point moot. Commission does not bar individuals or sole proprietors from filing complaint(s) against utilities that set forth a relief
5. Point moot. Only corporations must have legal representation
6. Point moot. Affirmative defense was not filed in a timely manner thus waived

WHEREFORE, MC requests that the Respondent's affirmative defense(s) and motion to dismiss be dismissed with prejudice.

Respectfully submitted,

MILLERSVILLE CONSTRUCTION



Glenn Kreais (Owner)

925 CR72

Helena, Oh 43435

RECEIVED-DOCKETING DIV

2014 APR -3 PM12:17

PUCO

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician fe Date Processed APR 03 2014

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of:

MILLERSVILLE CONSTRUCTION

Complainant,

v.

Case No. 14-0366-TP-CSS

FRONTIER NORTH INC,

Respondent,

RESPONSIVE FOR LEAVE TO FILE ANSWER, *INSTANTER*,
OF FRONTIER NORTH INC.

Millersville Construction (MC), by and through its owner, respectfully moves to dismiss *instanter* on the grounds that Respondent did have actual knowledge and receipt of MC complaint, filed on March 5, 2014 (see attachment A). Granting the Respondent's motion does prejudice the Complainant via undue delay.

WHEREFORE, MC requests that the Respondent's motion be dismissed with prejudice.

Respectfully submitted,

MILLERSVILLE CONSTRUCTION

A handwritten signature in black ink, appearing to read 'GK' followed by a long horizontal stroke.

Glenn Krais (Owner)
925 CR72
Helena, Oh 43435



Public Utilities Commission

John R. Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners

Steven D. Lesser
Asim Z. Haque
Lynn Slaby
M. Beth Trombold

March 5, 2014

Millersville Construction Co.
925 Country Road 72
Helena, Ohio 43435-9750

Case No. 14-0366-TP-CSS

Dear Mr. Kreal:

This letter will confirm that the Public Utilities Commission of Ohio has received your formal complaint against Frontier Communications. Your formal complaint has been assigned the above case number. We have sent a copy of your complaint to the utility company. The utility has been given 20 days to file its answer in response to your complaint and will send a copy of that answer to you as well.

The Commission will issue an entry that explains the next step in your case. A copy of the entry will be sent to you.

Enclosed is a brochure to assist you in understanding the process associated with formal complaints filed with the Public Utilities Commission of Ohio.

Sincerely,

Barry F. McNeal, Secretary
Tanowa Troupe, Acting Secretary
Holly Karg, Acting Secretary

Enclosure
BFM/tmn