

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)
Lake Local School District Board of)
Education,)
)
Complainant,) Case No. 14-594-TP-CSS
v.)
)
AT&T Ohio,)
)
Respondent.)

ENTRY

The attorney examiner finds:

- (1) On April 16, 2014, Complainant, the Lake Local School District Board of Education (Lake), filed a complaint against Respondent, AT&T Ohio (AT&T). The complaint alleges that the parties are engaged in a dispute over charges Respondent has billed Complainant for telephone service and that, in responding to the dispute, Respondent has failed to act in a timely and appropriate manner.
- (2) On May 7, 2014, AT&T filed its answer. AT&T admits that Complainant has raised billing issues concerning its accounts, but avers that its investigation of those billing issues is ongoing. AT&T suggests that it needs additional time to complete its investigation before making a proposal to Complainant to resolve the billing dispute.
- (3) At this time, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statement made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However,

nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement conference shall be scheduled for August 5, 2014, at 10:00 a.m. in Conference Room 1246 in the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (5) Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the public utility shall investigate the issues raised in the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (6) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public. Util. Comm.*, 5 Ohio St. 2d 189, 214 N.E. 2d 666 (1966).

It is, therefore,

ORDERED, That a settlement conference be held on August 5, 2014, at 10:00 a.m. in Conference Room 1246 in the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. It is, further,

ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 14-0594-TP-CSS

Summary: Attorney Examiner Entry scheduling a settlement conference for 08/05/2014 at 10:00 a.m. at the offices of the Commission, 180 E. Broad St., 12th Flr., Rm. 1246, Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio