

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Bizcorp,)
LLC,)
)
Complainant,)
)
v.) Case No. 14-372-TP-CSS
)
Windstream Communications, Inc.,)
)
Respondent.)

ENTRY

The attorney examiner finds:

- (1) On March 5, 2014, Bizcorp, LLC (Bizcorp or Complainant) filed a complaint against Windstream Communications, Inc. (Windstream or Respondent) alleging that it has experienced chronic delays and service interruptions in its telecommunication services. In addition, Bizcorp claims that there are unresolved problems involving missing fax lines, inaccurate billings, back billings, connectivity, and failure to respond adequately to service inquiries.
- (2) On March 26, 2014, Windstream filed an answer and a motion to dismiss the complaint.
- (3) On April 23, 2014, the attorney examiner issued an Entry scheduling this matter for a settlement conference to occur on May 23, 2014.
- (4) On May 6, 2014, the representative of the Complainant filed a letter notifying the Commission that he wished to postpone the settlement conference for medical reasons.
- (5) The attorney examiner issued an Entry on May 20, 2014, granting the Complainant's request to postpone the settlement conference. By letter, the attorney examiner has been advised that the Complainant is now ready to proceed. Accordingly, the attorney examiner shall schedule a settlement conference.

- (6) A settlement conference shall be scheduled for September 9, 2014, at 10:00 a.m. in Room 1246 at 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.
- (7) Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the Respondent shall investigate the issues raised in the complaint prior to the settlement conference, and all parties participating in 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 participating in the settlement conference should have with them all documents relevant to this matter.
- (8) 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 September 9, 2014, at 10:00 a.m. in Room 1246 in the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio. 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/ L. Douglas Jennings

By: L. Douglas Jennings
Attorney Examiner

jrj/vrm

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in

Case No(s). 14-0372-TP-CSS

Summary: Attorney Examiner Entry scheduling September 9, 2014, settlement conference; electronically filed by Vesta R Miller on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio