

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Milton Heinberg,)	
)	
Complainant,)	
)	
v.)	Case No. 14-2141-TP-CSS
)	
AT&T Corp.,)	
)	
Respondent.)	

AT&T CORP.'S ANSWER

AT&T Corp.¹, for its Answer to the Complaint filed against it, states as follows:

1. AT&T Corp. admits that the Complainant was its customer for long-distance service until his service was disconnected.

2. AT&T Corp. admits that it previously offered a billing adjustment to resolve the dispute and avers that the Complainant accepted that offer.

3. AT&T Corp. denies Complainant's allegation that he did not cash the \$502.58 check that AT&T Corp. issued to him; rather, AT&T Corp. avers that he did deposit that check and attaches the cancelled check to this Answer.

¹ AT&T Corp. is a public utility in Ohio and provides certain Commission-regulated services and other non-regulated services. The Complainant used the name "AT&T" in his complaint. Because the complaint concerns long distance service provided by AT&T Corp., that entity is the proper Respondent in this case. Complainant's local service was, at all relevant times, provided by a carrier not affiliated with AT&T.

4. AT&T Corp. avers that it discontinued service to the Complainant after it was requested to do so by Complainant, and avers that it was not previously asked to disconnect its service by Complainant or by any other party lawfully acting on Complainant's behalf.

5. AT&T Corp. avers that the billing adjustment that it offered Complainant, and which Complainant accepted, was reasonable and was consistent with the Company's usual business practices.

6. AT&T Corp. avers that the Commission is without authority to award damages of any kind.

7. AT&T Corp. denies any allegation of the Complaint which is not specifically admitted.

8. By negotiating the AT&T Corp. check dated May 11, 2011 for \$502.58, the Complainant has reached an accord and satisfaction with AT&T Corp. and should thus be barred from pursuing this Complaint over two years later.

9. AT&T Corp. avers that it has breached no legal duty owed to the Complainant and that its service and practices at all relevant times have been in full accordance with all applicable provisions of law and accepted standards within the telephone industry.

WHEREFORE, Respondent AT&T Corp. respectfully prays that this Complaint
be dismissed.

Respectfully submitted,

AT&T Corp.

By: /s/ Jon F. Kelly

Jon F. Kelly
AT&T Services, Inc.
150 E. Gay St., Room 4-A
Columbus, Ohio 43215

(614) 223-7928
jk2961@att.com

Its Attorney

14-2141.answer


Acct #: 971782

Check #: 64617522

Amount: 502.58

Seq#: 2070102183

THE BACK OF THIS CHECK CONTAINS A SECURITY MARK - DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK

 **JPMorgan Chase Bank, N.A.**
Chicago, IL

70-2322/719

Date 05/11/2011 **Check Number** 64617522

Pay this amount
\$502.58

PAY
FIVE HUNDRED TWO AND 58/100*****

To the order of
MILTON & MARY ANN HEINBER
655 SHINNECOCK LN
AURORA, OH 44202

Security Features Details on Back

Void 180 days from check date


Jonathan P. Kling

⑈64617522⑈ ⑆071923226⑆

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ENDORSE HERE

Jonathan P. Kling

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Certificate of Service

I hereby certify that a copy of the foregoing has been served this 15th day of December, 2014 by first class mail, postage prepaid, on the party shown below.

/s/ Jon F. Kelly

Jon F. Kelly

Milton Heinberg
34300 Brookmead Court, Apt. 104
Solon, OH 44139

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in

Case No(s). 14-2141-TP-CSS

Summary: Answer electronically filed by Jon F Kelly on behalf of AT&T Corp.