

FILE

BAILEY CAVALIERI LLC
ATTORNEYS AT LAW

One Columbus 10 West Broad Street, Suite 2100 Columbus, Ohio 43215-3422
telephone 614.221.3155 facsimile 614.221.0479
www.baileycavalieri.com

direct dial: 614.229.3278
email: William.Adams@BaileyCavalieri.com

March 5, 2015

Barcy McNeal, Secretary
Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street, 11th Floor
Columbus, OH 43215-3793

RECEIVED-DOCKETING DIV
2015 MAR -5 AM 11:02
PUCO

Re: *In the Matter of the Complaint of NorthEast Ohio Neighborhood Health Services, Inc. v. Cavalier Telephone Corp. d/b/a Windstream Communications*
PUCO Case No. 15-325-TP-CSS

Dear Ms. McNeal:

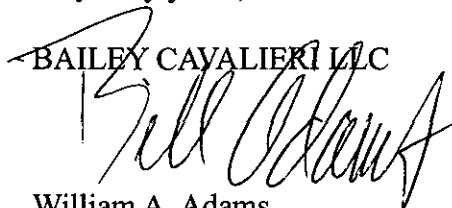
Enclosed are the originals and three (3) copies each of the following documents to be filed in the above-captioned matter:

1. Answer of Respondent Cavalier Telephone Corp. d/b/a Windstream Communications to the Complaint of NorthEast Ohio Neighborhood Health Services, Inc.; and,
2. Motion to Dismiss of Respondent Cavalier Telephone Corp. d/b/a Windstream Communications.

Please time stamp the extra copies of the Answer and the Motion to Dismiss and return them to our courier.

Thank you for your assistance.

Very truly yours,


BAILEY CAVALIERI LLC


William A. Adams

WAA/sg
Enclosure

cc(w/enclosure): NorthEast Ohio Neighborhood Health Services, Inc.
c/o Willie F. Austin, President and Chief Executive Officer
4800 Payne Avenue
Cleveland, OH 44103

#818834v1

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.
Notarized  Date Processed

MAR 05 2015

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Complainant,

V.

**Cavalier Telephone Corp. d/b/a Windstream
Communications.**

Respondent.

Case No. 15-325-TP-CSS

RECEIVED-DOCKETING DIV
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ANSWER OF RESPONDENT
CAVALIER TELEPHONE CORP. d/b/a WINDSTREAM COMMUNICATIONS
TO THE COMPLAINT OF NORTHEAST OHIO NEIGHBORHOOD
HEALTH SERVICES, INC.

Now comes Respondent Cavalier Telephone Corp. d/b/a Windstream Communications, Inc. ("Windstream"), and for its Answer to the Complaint of Complainant NorthEast Ohio Neighborhood Health Services, Inc. ("NEON") states as follows:

First Defense

1. Windstream admits that NEON was its customer. Windstream denies or denies for lack of knowledge all remaining allegations of the Complaint.

Second Defense

2. NEON has failed to set forth reasonable grounds for the Complaint, including but not limited to failing to properly terminate its account.

Third Defense

3. Windstream has breached no legal duty owing to NEON, and Windstream's services and practices at all relevant times have been in full accordance with the applicable provisions of law and accepted standards within the telephone industry.

Fourth Defense

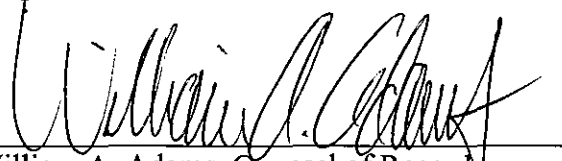
4. The Public Utilities Commission of Ohio ("Commission") lacks subject matter jurisdiction over some or all of the services in the Complaint pursuant to Ohio Revised Code § 4905.02.

Fifth Defense

5. Windstream reserves the right to raise additional defenses based upon the results of further investigation and discovery.

WHEREFORE, Windstream respectfully requests that the Commission dismiss the Complaint and grant all other necessary and further relief to which Windstream is entitled.

Respectfully submitted,

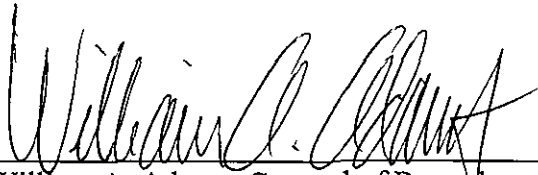


William A. Adams, Counsel of Record
BAILEY CAVALIERI LLC
10 West Broad Street, Suite 2100
Columbus, OH 43215-3422
(614) 229-3278 (telephone)
(614) 221-0479 (fax)
William.Adams@baileycavalieri.com
*Attorneys for Respondent Cavalier Telephone
Corp. d/b/a Windstream Communications*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Answer of Respondent Cavalier Telephone Corp. d/b/a Windstream Communications* was served this 5th day of March, 2015, by regular U.S. Mail upon Complainant as follows:

NorthEast Ohio Neighborhood Health Services, Inc.
c/o Willie F. Austin, President and Chief Executive Officer
4800 Payne Avenue
Cleveland, OH 44103



William A. Adams, Counsel of Record