

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of )  
Stand Energy Corporation, )  
1077 Celestial Street )  
Rookwood Building #3 )  
Suite 110 )  
Cincinnati, Ohio 45202 )

Complainant )

v. )

Case No. 16-1037-TP-CSS )

Windstream Ohio, LLC )  
fka, Windstream Ohio, Inc. )  
dba Windstream Communications )  
c/o CT Corporation its Statutory Agent )  
1300 East 9<sup>th</sup> Street )  
Cleveland, Ohio 44114 )

**MOTION FOR DEFAULT JUDGMENT**

and )

Windstream Nuvox Ohio, LLC )  
fka, Windstream Nuvox Ohio, Inc. )  
c/o CT Corporation its Statutory Agent )  
1300 East 9<sup>th</sup> Street )  
Cleveland, Ohio 44114 )

and )

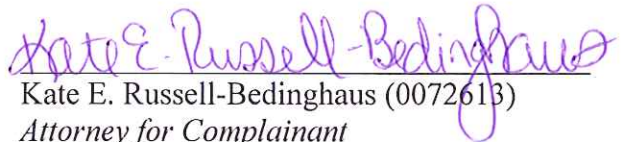
Windstream Communications, LLC )  
fka, Windstream Communications, Inc. )  
c/o CT Corporation System )  
1300 East Ninth Street )  
Cleveland, OH 44114 )

Respondents )

Now comes Complainant, Stand Energy Corporation pursuant to Ohio Civil Rule 55 hereby moves the Public Utilities Commission of Ohio to Enter Default Judgment against

Windstream Ohio, LLC, Windstream Nuvox Ohio, LLC and Windstream Communications, LLC (hereinafter collectively referred to as "Respondents") and in favor of Complainant, Stand Energy Corporation. The grounds for this Motion are set forth below in the Memorandum in Support.

RESPECTFULLY SUBMITTED,



Kate E. Russell-Bedinghaus (0072613)  
*Attorney for Complainant*  
Stand Energy Corporation  
1077 Celestial Street, Suite 110  
Cincinnati, Ohio 45202-1629  
Tel: (513) 621-1113  
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[kbedinghaus@standenergy.com](mailto:kbedinghaus@standenergy.com)  
(Willing to accept service by e-mail)

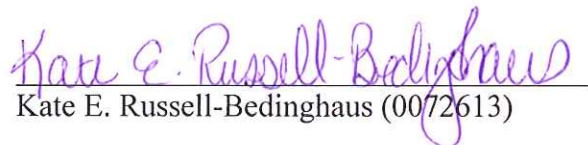
**MEMORANDUM IN SUPPORT**

Respondents were served copies of the Complaint by the Commission and were therein instructed to answer the Complaint within twenty (20) days after May 10, 2016. Twenty Days from May 10 is May 30<sup>th</sup>, a Monday and celebrated this year as Memorial Day, a legal holiday. Therefore, Respondents' last day to file the Answer in time would be three days after Memorial Day or June 4, 2016 (if filed by U.S. Mail, if filed by another means of delivery, the Answer is out of time under PUCO Rules.). Respondents failed to file an Answer within the time proscribed by Ohio law (on or before Friday, June 3, 2016) and there has not been an appearance of counsel or motion for extension of time filed on any Respondents' behalf.

Respondents are therefore in Default and Judgment should be rendered in favor of Complainant, Stand Energy Corporation.

WHEREFORE, Complainant Stand Energy Corporation moves the Public Utilities Commission of Ohio for Default Judgment against Respondents, jointly and severally, with said Judgment to include a finding of fact that the Customer Service Agreement between the parties was effectively and properly cancelled by Stand Energy Corporation as of February 13, 2016; an Order that Respondents be required to immediately refund all monies inadvertently paid by Complainant, Stand Energy Corporation for services after February 13, 2016, and; an Order requiring Respondents' to cease all post-termination cramming of charges for services no longer being received by Complainant, and; for Respondents to cancel and recall all such invoices with prejudice.

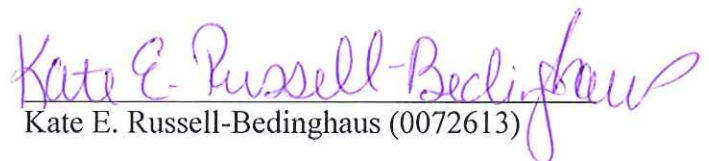
RESPECTFULLY SUBMITTED,

  
Kate E. Russell-Bedinghaus (0072613)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was sent by ordinary mail this 13<sup>th</sup> day of June, 2016 to:

Windstream Ohio, Inc. dba  
Windstream Communications et al  
1300 E 9<sup>th</sup> Street  
Cleveland, OH 44114

  
Kate E. Russell-Bedinghaus (0072613)

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**6/13/2016 11:25:45 AM**

**in**

**Case No(s). 16-1037-TP-CSS**

Summary: Motion Motion and Memorandum in Support for Default Judgment against Windstream LLC, Windstream Nuvox Ohio, LLC and Windstream Communications. electronically filed by Mrs. Kate E Russell-Bedinghaus on behalf of Stand Energy Corporation