

**Before the
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of Official)
Investigations Inc. vs. Cincinnati Bell) Case No. 17-1469-TP-CSS
Telephone Company LLC)

ANSWER

Cincinnati Bell Telephone Company LLC (“CBT”) hereby responds to the Complaint filed by Official Investigations Inc. against “Cincinnati Bell Wireline” on June 19, 2017 pursuant to Ohio Administrative Code § 4901-9.

1. Upon information and belief, the Complaint relates to a distinctive ring service issue. After moving to a new office suite, on January 25, 2017 Complainant reported that its distinctive ring service was experiencing a triple ring instead of a double ring. CBT repaired the issue on or before January 31, 2017.

2. CBT denies the allegation that it failed to provide the services for which it was charging.

3. CBT denies the allegation that Complainant’s phones were down for over 7 days.

4. CBT denies the allegation that it took 22 hours and 13 phone calls to resolve the matter.

5. CBT denies the allegation that it failed to timely and adequately repair the issue.

6. CBT denies the allegation that it was in breach of its contract to provide services.

7. CBT denies the allegation that Complainant was unable to speak to representatives in the United States.

8. CBT denies the allegation that any representative shut off e-mail accounts or internet service as retaliation for complaints.

9. CBT denies the allegation that it told Complainant its e-mails could not be recovered. Complainant refused CBT's offer to reinstate an e-mail address.

10. To the extent CBT has not admitted any particular factual allegation, the allegation is denied.

AFFIRMATIVE DEFENSES

1. The Complainant is an Ohio corporation, but the Complaint is not signed by a licensed attorney at law, as required by Commission Rule, Ohio Admin. Code § 4901-1-08(A).

2. The Complaint fails to name a proper party, as "Cincinnati Bell Wireline" is not a legal entity.

3. The Complaint is barred by the arbitration provision in the contract that governed the provision of service.

4. The Complaint fails to state a claim upon which relief can be granted.

5. The Complaint fails to state reasonable grounds for complaint.

6. The Commission has no jurisdiction over e-mail or internet access service.

7. Complainant cancelled all services with CBT and ported its telephone numbers to a different provider and did not request that CBT continue providing it any services.

8. The Complaint is subject to the limitation of liability and other provisions that governed the provision of service.

9. CBT's terms of service preclude any recovery of damages.

10. Complainant terminated its service, in breach of its contract, making it liable for early termination charges, which remain unpaid.

Wherefore, having fully answered and raised its affirmative defenses, CBT respectfully requests that the Commission dismiss the Complaint with prejudice and deny the relief sought.

Respectfully submitted,

/s/ Douglas E. Hart

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Company LLC

CERTIFICATE OF SERVICE

I certify that on this 6th day of July 2017, I served the foregoing Answer on Official Investigations Inc., 3284 North Bend Road, Suite 310, Cincinnati, OH 45239, by first class U.S. mail, postage prepaid.

/s/Douglas E. Hart

This foregoing document was electronically filed with the Public Utilities

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Summary: Answer electronically filed by Mr. Douglas E. Hart on behalf of Cincinnati Bell Telephone Company LLC