

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
JOHNNIE GRAHAM JR.,**

COMPLAINANT,

v.

CASE NO. 17-2114-TP-CSS

FRONTIER NORTH, INC.

RESPONDENT.

ENTRY

Entered in the Journal on March 6, 2018

{¶ 1} Pursuant to R.C. 4927.21, the Commission has authority to consider written complaints filed against a telephone company by any person or corporation regarding any rate, service, regulation, or practice relating to any service furnished by the telephone company that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 2} Respondent, Frontier North, Inc. (Frontier), is a telephone company as defined in R.C. 4905.03 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On October 11, 2017, Johnnie Graham Jr. (Complainant) filed a complaint against Frontier. The complaint alleges, among other things, that Respondent “cut” his telephone line and, afterword, continued to bill him for telephone service. He also alleges that he went three months without phone service in the spring of 2015, but later, after discovering this, called to have this situation addressed.

{¶ 4} Frontier filed its answer on October 27, 2017. In its answer, Frontier denies all of the material allegations of the complaint and sets forth several affirmative defenses.

{¶ 5} A settlement conference was scheduled for and held on December 5, 2017. However, the parties were unable, then or since, to resolve the dispute giving rise to this complaint case.

{¶ 6} R.C. 4927.21 requires that the Commission set for hearing a complaint against a public utility whenever it appears that reasonable grounds for complaint are stated.

{¶ 7} The attorney examiner finds that reasonable ground for complaint have been stated. Accordingly, this case should be scheduled for hearing on April 23, 2018, at 1:00 p.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-A, Columbus, Ohio 43215-3793.

{¶ 8} All discovery requests should be conducted in accordance with Ohio Adm.Code 4901-1-16 to 4901-1-24.

{¶ 9} Any party intending to present direct expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing.

{¶ 10} In complaint proceedings before the Commission, 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). Therefore, at hearing, it shall be Complainant's responsibility to appear and present evidence in support of the complaint.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That a hearing in this matter be scheduled for April 23, 2018, at 1:00 p.m. at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-A, Columbus, Ohio 43215-3793. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 17-2114-TP-CSS

Summary: Attorney Examiner Entry scheduling hearing for 04/23/2018 at 1:00 p.m. in accordance with Paragraph 7 electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio