

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

Anne Hess,)	
)	
Complainant,)	
)	
v.)	Case No. 18-1652-TP-CSS
)	
Frontier Communications, Inc.,)	
)	
Respondent.)	

**ANSWER AND AFFIRMATIVE DEFENSES
OF FRONTIER COMMUNICATIONS, INC.**

Frontier Communications, Inc. (“Frontier”), appearing specially, and through its counsel, answers the November 1, 2018 Complaint (“Complaint”) of Anne Hess (“Complainant”) and raises its affirmative defenses thereto as follows:

GENERAL DEFENSE

Frontier has examined its records and billing statements and Frontier finds no record of any violation of service or billing rules.

A. ANSWER

Page 1 of the Complaint

1. In response to the allegations contained in the page titled “Formal Complaint Form”, Frontier denies that it lacks concern for its service in the area and further denies that it has been reluctant to replace necessary equipment. Further responding, Frontier lacks knowledge upon which to form a belief as to the truth of the facts alleged and therefore denies all other allegations in the page titled Formal Complaint Form.

Page 2 of the Complaint

2. In response to the statements and allegations in Ms. Hess’ attachment to the Complaint, in unmarked Paragraphs 1 and 2 on the Formal Complaint Form, Frontier states that

Ms. Hess has contacted Frontier to report service issues and that all issues were addressed as the appropriate repairs were made by replacing batteries in the remote field equipment, replacing a ring generator, and repairing cable in the area.

3. Frontier admits that Ms. Hess subscribes to a non-BLES service package as defined by Ohio Revised Code 4927.01 (A) (1) as Ms. Hess has subscribed to a bundled package since at least 2014 which includes local voice service, touch tone, caller ID, call waiting, call waiting ID, and long-distance service. Frontier admits that Ms. Hess' monthly bill for non-BLES voice service ranges from approximately \$72.00 to \$76.00. Frontier further admits that Ms. Hess reported a service disruption in July 2018; however, Frontier records indicate the report was placed July 5, 2018 at 10:06 AM, not on July 4, 2018. Frontier admits that the July 5, 2018 report was completed on July 12, 2018.

4. Frontier denies that its policy is to establish an automatic 14-day commitment date for all repair reports. Frontier attempts to promptly resolve reported service issues.

5. The remaining allegations are either personal in nature, lacking in detail such as dates, names or supporting documentation, and overly broad. Therefore, Frontier lacks sufficient knowledge or information to form a belief as to the truth of allegations and denies all remaining allegations.

6. Frontier denies all allegations not expressly admitted herein.

B. AFFIRMATIVE DEFENSE

1. The Complaint fails to allege any violation of any rule(s), regulation(s) or law(s) that would constitute a violation of any sort, or any unlawful action, and thus, the Complaint should be dismissed.

2. Complainant's allegations regarding non-BLES service as defined by Ohio Revised Code (A) (1) is not within the Commission's jurisdiction, as that service is not regulated.

3. Frontier reserves the right to raise additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as may become necessary during the investigation and discovery of this matter.

WHEREFORE, Frontier requests that the Complaint be dismissed with prejudice.

Respectfully submitted,

FRONTIER COMMUNICATIONS, INC.

By: /s/ Michele L. Noble
Michele L. Noble (0072756)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer and Affirmative Defenses of Frontier Communications was filed electronically and provided to the person listed below by U.S. mail, postage prepaid, on this 21st day of November 2018.

Anne Hess
34348 County Road 402
Warsaw, OH 43844

Complainant

/s/ Michele L. Noble

Michele L. Noble

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 18-1652-TP-CSS

Summary: Answer Answer and Affirmative Defenses of Frontier Communications, Inc.
electronically filed by Michele L Noble on behalf of Frontier Communications, Inc.