

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF EDWARD PORTER,

COMPLAINANT,

v.

CASE NO. 18-1751-TP-CSS

FRONTIER COMMUNICATIONS, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on March 8, 2019

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

{¶ 3} On November 29, 2018, Edward Porter (Mr. Porter) filed a complaint against Frontier, alleging three separate issues. Specifically, Mr. Porter claims that (1) Respondent billed him for work not completed, (2) his customer box is not handicap accessible, and (3) Respondent will not refund him when there is a service outage.

{¶ 4} Frontier filed its answer on December 19, 2018. In its answer, Frontier denies the allegations of the complaint but admits that it provides voice service and non-regulated internet service to Mr. Porter. Respondent's answer further sets forth several affirmative defenses.

{¶ 5} By Entry dated December 21, 2018, the attorney examiner scheduled a settlement conference to take place on January 15, 2019, in accordance with Ohio Adm.Code 4901-1-26(F). However, the parties were unable to resolve all issues raised in the complaint.

{¶ 6} By Entry dated February 13, 2019, the attorney examiner scheduled a hearing, in accordance with R.C. 4927.21, to convene on March 26, 2019, at 10:00 a.m. at the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793, in accordance with Ohio Adm.Code 4901-1-27(A).

{¶ 7} At this time, the attorney examiner finds that it is appropriate to reschedule the hearing as a prehearing telephone conference. Accordingly, a prehearing telephone conference will take place on March 26, 2019, at 10:00 a.m. in lieu of the previously scheduled hearing. In order to be connected to the telephone conference, Mr. Porter and counsel for Frontier should dial (866)-209-2820 and then enter the conference code number, 6606822957.

{¶ 8} As with all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the previously scheduled hearing be rescheduled as a prehearing telephone conference held on March 26, 2019, at 10:00 a.m. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Lauren L. Augostini

By: Lauren L. Augostini
Attorney Examiner

SJP/hac

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Summary: Attorney Examiner Entry rescheduling hearing as prehearing telephone conference electronically filed by Heather A Chilcote on behalf of Lauren L. Augostini, Attorney Examiner, Public Utilities Commission of Ohio