

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the	:	
Complaint of Johnnie	:	
Graham, Jr.,	:	
Complainant,	:	Case No. 17-2114-TP-CSS
	:	
vs.	:	
	:	
Frontier North, Inc.,	:	
	:	
Respondent.	:	

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PROCEEDINGS

Before Daniel E. Fullin, Attorney Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11A, Columbus, Ohio, called at 1:30 p.m. on Monday, March 4, 2019.

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APPEARANCES:

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308 Maeder Avenue
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On behalf of the Complainant.

Squire, Patton, Boggs LLP
By Michele L. Noble, Esq.
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On behalf of Frontier North, Inc.

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COMPANY EXHIBITS	IDENTIFIED	ADMITTED
1 - Copies of billing statements	44	80

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1 Monday Afternoon Session,
2 March 4, 2019.

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4 ATTORNEY-EXAMINER FULLIN: The
5 Commission has called for hearing at this time and
6 place Case No. 17-2114-TP-CSS, which is the complaint
7 of Johnnie Graham, Jr. -- who I found out that in
8 December he became Bishop Graham. I plan on trying
9 to call him Bishop Graham, versus Frontier
10 Communications, Incorporated.

11 My name is Dan Fullin. I'm the
12 Attorney-Examiner assigned to hear this case today.
13 I will begin by having appearances, so I'd like to
14 begin with you, Bishop Graham. If you would state
15 your name for the record, give your address, and
16 state for the record whether you're just representing
17 yourself here today, or if there's anyone
18 representing you, or if you have any witnesses.

19 BISHOP GRAHAM: No, I'm representing
20 myself. My name is Bishop Johnnie Graham, Jr., and
21 I'm the Pastor of the Church in Miracle Ministry,
22 Dayton, Ohio.

23 ATTORNEY-EXAMINER FULLIN: Address for
24 the Church?

25 BISHOP GRAHAM: 308 Maeder.

1 ATTORNEY-EXAMINER FULLIN: That's
2 Dayton. And the ZIP code?

3 BISHOP GRAHAM: Dayton, Ohio 45417.

4 ATTORNEY-EXAMINER FULLIN: Thank you.
5 And appearance on behalf of Frontier.

6 MS. NOBLE: Good afternoon. Michele
7 Noble, attorney for Frontier North with the firm
8 Squire, Patton, Boggs.

9 ATTORNEY-EXAMINER FULLIN: Okay. All
10 right. So then let me state what I -- how I intend
11 to proceed today.

12 Bishop Graham, you're the complainant.
13 You have the burden of proof, so that means you'll
14 get to go first. And today's hearing is -- what gets
15 established on the record at today's hearing will be
16 the record that the Commission uses to make its
17 decision in the case.

18 So even though you filed a complaint and
19 you filed other things in the case, the Commission is
20 not going to rely on what you've already filed, they
21 are going to rely on what you testify to here today,
22 and what documents that you introduce.

23 And there may be a ruling on -- if
24 there's an objection to what you introduce, there
25 will be a ruling from me about whether the exhibits

1 will be admitted into the record or not.

2 But if they are admitted into the
3 record, everything that's admitted in the record
4 today by both sides will be the record on which the
5 Commission will make its decision in the case.

6 So for purposes of today, you'll go
7 first. I'll swear you in, or the witness can affirm
8 instead of swear, if that's their preference, and
9 then you'll provide the testimony that you want to
10 put on that presents your case in the best light
11 possible so that you can prove the allegations of
12 your complaint, and put on the record everything that
13 the Commission needs to consider in your case.

14 You'll be subject to cross-examination.
15 You can put on exhibits or other documents that you
16 want to introduce.

17 When you do that, you should identify
18 what it is that you're proposing to introduce, and
19 then at that time you can provide them a copy and
20 provide me a copy, and we'll mark the exhibit each
21 time when you go to introduce it.

22 And then after she gets a look at it,
23 she can decide whether she wants to raise any
24 objections to it. But again, the idea is that we'll
25 allow you to respond to any objections that she has,

1 and when it's appropriate we'll make a ruling on
2 whether it comes into the record or not.

3 But you should feel free to try to
4 introduce what you want to introduce to support your
5 case. And rulings will fall as they do in terms of
6 me trying to apply the law to the facts of the case.

7 When you're done presenting your
8 testimony, then she'll cross-examine you about
9 anything that came up in your testimony. You'll have
10 to answer her questions.

11 And you might have to just directly
12 address her questions as they are. And when she's
13 done with her cross-examination, then if you want to
14 add something besides what you said in answer to your
15 questions -- her questions, you can do that, but
16 you'll be limited to bringing up things that relate
17 to the questions that she asked. And then she can
18 follow up. So we keep narrowing it down to what
19 actually has just been addressed by the questioning.

20 But at the end of all that, when you put
21 on your whole case, then I'll ask you if that's
22 everything. And if so, then you'll rest, and then it
23 will be her turn to put on Frontier's case.

24 And I believe she has a witness here
25 today, so that witness will be sworn in and she'll

1 provide the testimony for Frontier. And you can
2 object to any exhibits or anything that comes up in
3 the testimony that you have a legal reason for
4 objecting to.

5 And at the end of her -- at the end of
6 her testimony, just like yours, then you can ask her
7 questions about anything that she testified to. So
8 you get to do cross-examination of her. So just like
9 what happened with you, that will happen with
10 Frontier's witness.

11 And when the company rests, then both
12 parties will have rested and I'll bring the hearing
13 to a close. And based on the record at that point,
14 that's what the Commission will use to make its
15 decision in this case.

16 So is there any questions that anybody
17 has about the procedure here, or anything else they
18 want to bring up before we get started on the actual
19 testimony?

20 MS. NOBLE: No, sir.

21 ATTORNEY-EXAMINER FULLIN: Okay. No
22 questions, then we'll get started.

23 I'll begin by having you swear in. I'll
24 have you stand and raise your right hand and swear
25 you in. I'll allow you to testify from where you're

1 sitting, and the same with the witness from Frontier,
2 unless you would prefer to come up front, but
3 otherwise, I'm happy to have you remain where you
4 are.

5 Do you swear that the testimony you
6 provide today will be the truth, the whole truth, and
7 nothing but the truth.

8 BISHOP GRAHAM: I affirm.

9 ATTORNEY-EXAMINER FULLIN: Thank you.
10 So you can begin by presenting your case however you
11 want to go about providing testimony and/or exhibits.

12 - - -

13 Bishop Johnnie Graham, Jr.,
14 being first duly sworn, as prescribed by law, was
15 examined and testified as follows:

16 DIRECT TESTIMONY

17 BISHOP GRAHAM: Okay. To present my
18 case, the bills that I paid, there's quite a few of
19 them were overcharged, and so trying to get them
20 right with Frontier was a problem.

21 But I wasn't hard on them, you know, but
22 after it got where, you know, it got to be kind of
23 ridiculous, is the way it went along -- because I
24 tell you why I say that.

25 Back in 2012 I called Frontier and I had

1 them to check out the calls that was coming in on
2 that -- on my telephone number 835-3217. And they
3 checked it out and they found out I was right; wasn't
4 no calls coming in or going out of there.

5 That's when -- when my telephone was out
6 three months. I didn't know it. So how I found out
7 is when I called and I tried to use the phone and I
8 couldn't use it, so I called Frontier to find out
9 what was wrong.

10 And the man told me that it had been
11 off. He remembered when it happened. There was a
12 fire up the street and it burned loose from the pole,
13 okay? So that way I wasn't getting no -- nothing
14 there. And not using the telephone, you know, I
15 didn't know it was out that long.

16 Because, really, when -- all I had the
17 telephone in Church for is for emergency purpose.
18 And in 2013, I put an alarm on the Church, okay? So
19 after 2013, that's the most calls that come in there
20 is -- would be my system.

21 ATTORNEY-EXAMINER FULLIN: Your what?

22 THE WITNESS: The alarm system. So
23 that's the reason I didn't know it was out that long.
24 But the technician, he knowed it because he heard it
25 on the news. And so did I, but I didn't know it

1 was -- it had anything to do with my business, okay?
 2 Because, you know, they have a fire, they put it on
 3 the news, but I didn't have the slightest idea,
 4 because the line goes up the street -- I would say it
 5 was about four houses up the street on the pole. So
 6 when it burned loose there, I didn't have no
 7 telephone.

8 ATTORNEY-EXAMINER FULLIN: Just so I can
 9 understand what you're saying, what do you mean by it
 10 burned loose?

11 THE WITNESS: On the pole. It was a
 12 fire. It was a house there. The house caught on
 13 fire, and it burned the wire loose.

14 ATTORNEY-EXAMINER FULLIN: The wire came
 15 loose from the pole?

16 THE WITNESS: It burned it loose up on
 17 the pole, because it was a big fire.

18 ATTORNEY-EXAMINER FULLIN: I just want
 19 to understand what you mean by the term "burn loose".
 20 It caused the line to fall off the phone --

21 THE WITNESS: Did you hear me say I
 22 didn't have no telephone for three months?

23 ATTORNEY-EXAMINER FULLIN: Yeah.

24 THE WITNESS: That's what I mean.

25 ATTORNEY-EXAMINER FULLIN: Okay.

1 THE WITNESS: So not having telephone,
2 you know, I didn't know if something happened, you
3 know. I couldn't have did nothing, because I didn't
4 have no telephone there, okay?

5 But the technician was good enough to
6 know that he worked on that line, and he would know,
7 you know, that it was out. So that's how I called
8 Frontier to let them know that my telephone was out
9 for three months.

10 Now, they started to pay -- because I
11 paid my bill, you know, they started to pay. But I
12 found out something. Frontier had some people in
13 there that you couldn't talk to. They would get very
14 smart and nasty with you. And they didn't have no
15 reason to do that; no reason to do that, okay?

16 But I had to face that, and when I would
17 try to talk to them and tell them about my bill, they
18 didn't want to hear that. They did not want to hear
19 that, okay?

20 So I found out that the people that they
21 hired was foreign people, and the foreigner people,
22 they didn't know how to handle this situation like it
23 is, and that's how come it ends up being like it was,
24 because this is true, you could not talk to those
25 people.

1 And being a customer -- you're not
2 supposed to be like that, you know, to your customer,
3 you know. So when I found out about this -- and then
4 what happened is, I couldn't understand it when I
5 reported this, that the technician called me at home
6 one day and told me my telephone lines had been cut.
7 And when he told me my telephone line had been cut --
8 and he say you need to come over here.

9 And I went over there and I asked him
10 why -- what happened that you would call me and tell
11 me that my lines are cut? I said how would you know
12 that? And he said my boss sent me over here to do
13 this.

14 And he -- and I said I didn't call in
15 about this, how would he know that? And he said he
16 ain't --

17 MS. NOBLE: I totally trust you're able
18 to judge the testimony before you, but I do want to
19 point out a lot of this is going to be hearsay.

20 ATTORNEY-EXAMINER FULLIN: My intention
21 probably overall is to allow hearsay in for today,
22 judge it, give it the weight that the Commission ends
23 up deciding to give it, realizing that it's hearsay.

24 So you don't have to continue to try to
25 eliminate the hearsay, but if you want to help me

1 recognize it for what it is, you can raise it to
2 point it out. But I'm not planning on excluding it
3 today.

4 MS. NOBLE: Thank you.

5 ATTORNEY-EXAMINER FULLIN: Go ahead.

6 THE WITNESS: Okay. When I asked the
7 technician how did he know that my lines had been
8 cut, and he said my boss tried to call here and told
9 me that to go and see what's the matter with your
10 telephone.

11 And I said well, I didn't call your
12 boss, I didn't call nobody, because I didn't know
13 that the lines had been cut. When I got over there,
14 they had been cut.

15 But one thing that -- I know that people
16 gonna try to keep their job. I didn't get mad at him
17 trying to keep his job because -- but here is what I
18 looked at, and it happened like this, and this is the
19 reason that I called the PUCO. He had me to take him
20 inside and move the line over.

21 ATTORNEY-EXAMINER FULLIN: Who is "he"?

22 THE WITNESS: Frontier. We're talking
23 about Frontier.

24 ATTORNEY-EXAMINER FULLIN: Well, you
25 said you called the PUCO, and then you started

1 talking about he.

2 THE WITNESS: Well, you didn't
3 understand me. I said this is what made me call
4 PUCO.

5 ATTORNEY-EXAMINER FULLIN: Okay.

6 THE WITNESS: Because of when they
7 had -- I had called there and they said something
8 about me moving that line, and I said he didn't have
9 to move that line, because the telephone line was cut
10 on the outside, okay?

11 But what they wanted to do, they wanted
12 me to pay for a service call because he came in there
13 and moved the line. And I know that wasn't right.

14 ATTORNEY-EXAMINER FULLIN: Now, you
15 described that the line was outside, but this move
16 that you're talking about, that was inside?

17 THE WITNESS: Come on the inside.

18 ATTORNEY-EXAMINER FULLIN: And this line
19 we're talking about is the 835-3217 number?

20 THE WITNESS: Right.

21 ATTORNEY-EXAMINER FULLIN: That's a
22 telephone line that serves the Church separate from
23 the line that provides the alarm system connection?

24 THE WITNESS: What do you say?

25 ATTORNEY-EXAMINER FULLIN: How does it

1 tie in with the alarm service, is it the same line?

2 THE WITNESS: It's the same line.

3 ATTORNEY-EXAMINER FULLIN: So it serves
4 both the telephone and the alarm system?

5 THE WITNESS: Right. You know, it got
6 to be on the telephone and all for it to work.

7 ATTORNEY-EXAMINER FULLIN: Okay.
8 Another question I have, it's hard for me to
9 understand, from what you told me so far, about when
10 these things happened. If you described that the --
11 for three months you were out service because of a
12 fire, and then you started talking about --

13 THE WITNESS: It was 2015 that the
14 service was out three months.

15 ATTORNEY-EXAMINER FULLIN: Well, earlier
16 you said it was in 2012, and then you started talking
17 about 2012 and 2013. Now you're telling me it's
18 2015, and I'm still -- is it the same answer?

19 THE WITNESS: Let me answer that for
20 you.

21 ATTORNEY-EXAMINER FULLIN: All right.

22 THE WITNESS: I called -- and I told you
23 a while ago, but you didn't hear me. I called
24 Frontier and I told them that the telephone wasn't
25 used that much. This was back the year that you just

1 pronounced.

2 ATTORNEY-EXAMINER FULLIN: 2012/2013?

3 THE WITNESS: Uh-huh. And so what they
4 did was they put a test on it and they seen that it
5 wasn't used that much. So what they did, they
6 brought the bill down, okay?

7 ATTORNEY-EXAMINER FULLIN: So the calls
8 that you made in 2012 or '13 were about how high the
9 bills were, and you were reporting --

10 THE WITNESS: There you go.

11 ATTORNEY-EXAMINER FULLIN: You didn't
12 think your usage was enough to equal the amount on
13 the bill, so that's what you were calling about. You
14 weren't calling about the line being cut or no
15 service --

16 THE WITNESS: No, that didn't happen
17 until 2016.

18 ATTORNEY-EXAMINER FULLIN: So you called
19 at that time, and then, again, at some point you said
20 well, they started to pay you.

21 So I assume that means they started
22 working towards giving you a refund on bills that
23 they agreed to refund you on, is that what you meant
24 by that testimony? You said they started to pay, so
25 I'm trying to understand what you were talking about.

1 THE WITNESS: Well, this is what -- what
2 the other man that worked with you --

3 ATTORNEY-EXAMINER FULLIN: Jim Lend?

4 THE WITNESS: Jim told me that, but then
5 they changed that.

6 ATTORNEY-EXAMINER FULLIN: Jim Lynn told
7 you? He told you what?

8 THE WITNESS: He told me they are
9 willing to pay something.

10 ATTORNEY-EXAMINER FULLIN: Well, now it
11 sounds like you're talking about things that got
12 discussed in the settlement, and I'm not going to --
13 what you tell me about what was discussed on
14 settlement I'm going exclude from the record.

15 I'm not going to take any testimony that
16 has to do with settlement discussions. So really Jim
17 Lynn doesn't really enter into this case.

18 THE WITNESS: 143.14.

19 ATTORNEY-EXAMINER FULLIN: What is that?

20 THE WITNESS: You said tell you what
21 they want to pay, right?

22 ATTORNEY-EXAMINER FULLIN: No, I didn't.
23 I told you that I'm not going to hear -- I'm not
24 going to allow into the record any testimony that has
25 to do with what was discussed between you, the

1 company, and Jim Lynn at any of the settlement
2 discussions that took place between the three of you.
3 That's not going to be part of the record.

4 THE WITNESS: How are you going to know
5 the truth?

6 ATTORNEY-EXAMINER FULLIN: You're going
7 to have to tell me today. You can't tell me what was
8 discussed at that time, you've got to present it for
9 the first time here today.

10 THE WITNESS: Wait a minute. You asked
11 me about 2012.

12 ATTORNEY-EXAMINER FULLIN: I was trying
13 to get you to help me understand what you're telling
14 me about.

15 THE WITNESS: Well, that's what I'm
16 trying to -- excuse me. That's what I'm trying to
17 help you with.

18 ATTORNEY-EXAMINER FULLIN: No, you're
19 telling me about what was discussed after this case
20 was filed, during settlement discussions -- I'm still
21 talking.

22 So you can understand, do not tell me
23 about what is discussed during settlement after this
24 case was filed. If you want to tell me on your own,
25 nothing to do with Jim Lynn or settlement, what

1 happened in 2012, I'm giving you a chance to explain.

2 THE WITNESS: Sir --

3 ATTORNEY-EXAMINER FULLIN: The
4 explanation is not what was discussed later on.

5 THE WITNESS: I'm listening to you but
6 you are hard to understand things.

7 ATTORNEY-EXAMINER FULLIN: We'll work
8 together.

9 THE WITNESS: I brought it out as clear
10 as I could bring it out.

11 ATTORNEY-EXAMINER FULLIN: I'm only
12 offering you a chance to help me understand. If you
13 feel like you've described it as best you can, that's
14 fine, I'll take that answer.

15 THE WITNESS: That's what I did, sir.
16 But I told you, you hard to understand it. You are
17 very hard to understand it.

18 ATTORNEY-EXAMINER FULLIN: The reason
19 I'm asking you these questions is to try to
20 understand your testimony better than I already do,
21 because I need to understand it if I'm going to
22 understand what you presented.

23 THE WITNESS: But if I tell you and you
24 don't understand it, what can I do?

25 ATTORNEY-EXAMINER FULLIN: Explain it to

1 me.

2 THE WITNESS: That's what I did. Didn't
3 you hear me say 2012, I called Frontier and had them
4 to check my calls that's coming in, and calls that
5 are going out, so they could see that the telephone
6 wasn't being used that much? So they did, they seen
7 that. They brought the bill down.

8 Is that hard for you to understand that?
9 They brought that bill down, okay? But when they got
10 ready to pay me for that three months --

11 ATTORNEY-EXAMINER FULLIN: What three
12 months?

13 THE WITNESS: Where my phone was off
14 three months.

15 ATTORNEY-EXAMINER FULLIN: What year was
16 that?

17 THE WITNESS: 2015. Then they started
18 to pay, then they stopped that. And they started
19 going up on my bill, okay?

20 ATTORNEY-EXAMINER FULLIN: What's that
21 mean? What does that mean they started going up on
22 your bill?

23 THE WITNESS: On my telephone bill.

24 ATTORNEY-EXAMINER FULLIN: You mean the
25 amount of the bill started going up?

1 THE WITNESS: Yeah, the amount of the
2 bill that I pay.

3 ATTORNEY-EXAMINER FULLIN: And what --
4 do you understand why the amounts on your bill
5 started to go up on 2015?

6 THE WITNESS: Because they didn't want
7 to pay that three months that the phone was off,
8 that's what it was.

9 ATTORNEY-EXAMINER FULLIN: Okay. I'm
10 going to stop asking questions for now. You can go
11 ahead and explain whatever you want to put on the
12 record.

13 THE WITNESS: Well, I -- if I say
14 something to you that I'm not supposed to, I
15 apologize for that, but I'm trying to get you to
16 understand me.

17 And that's being -- I talk like I did,
18 not trying to give you a rough time, okay?

19 ATTORNEY-EXAMINER FULLIN: I'm not
20 trying to give you one either, so let's just
21 continue. I think we're getting --

22 THE WITNESS: Well, when you told me to
23 send Frontier some paperwork on what was charged, I
24 did that. And when I send them the paperwork what
25 was charged, I never did hear back from Frontier;

1 never did hear back.

2 But here is what got me upset. When you
3 told me that they came in March of last year and they
4 sent me some paper, and they didn't hear back from
5 me, and I told you, I said well, I didn't hear back
6 from them.

7 ATTORNEY-EXAMINER FULLIN: All right.
8 Let me tell you how I'm understanding what you're
9 talking about. When we had discussions -- you're
10 bringing up discussions that you and I had. They
11 always had to do with your need to respond to the
12 discovery requests that they sent you.

13 So to the extent that I told you to
14 respond to the discovery requests, that's what I'm
15 understanding you're telling me about, that I told
16 you to send them information.

17 THE WITNESS: You told me that they came
18 forward and they want you to answer their questions.

19 ATTORNEY-EXAMINER FULLIN: Right, during
20 discovery.

21 THE WITNESS: I remember that. Now, I
22 did that and they must have did not tell you that I
23 did that, because when you and I and that lady was
24 talking on the telephone, she had to tell you that
25 she got the paper.

1 ATTORNEY-EXAMINER FULLIN: What we ended
2 up doing in this case was we had a conference call
3 that was a status conference call for the purpose of
4 figuring out what issues might still exist in terms
5 of discovery.

6 And during that call, as it's reflected
7 in an entry that was issued in the case, the parties
8 discussed the matter over the phone, I was on the
9 call, too, and at the -- by the conclusion of the
10 call the parties agreed that discovery was complete
11 and that they didn't have any further questions that
12 you needed to answer before we're ready to go to
13 hearing.

14 So all the testimony that you have has
15 to do with the discussions you and I had, and that we
16 had on a three-way basis during that case status
17 conference, and it all had to do with getting
18 discovery completed so that we could be in a position
19 to move to hearing today.

20 THE WITNESS: Let me ask you a question,
21 sir. When I did what you told me to do, and I told
22 you that I didn't receive any paperwork from
23 Frontier, wasn't you to get in touch with them and
24 have them send me some paperwork?

25 ATTORNEY-EXAMINER FULLIN: I'm not

1 answering that question, but I'll tell you it all got
2 taken care of when we established the case status
3 conference call when there was a three-way call
4 between you, I, and Frontier, to discuss all
5 discovery issues.

6 And during that call we all agreed that
7 discovery was, by the close of that call, complete.
8 So I don't need to have any more testimony about
9 whether discovery occurred or not.

10 THE WITNESS: You said I could ask
11 questions.

12 ATTORNEY-EXAMINER FULLIN: No, I didn't
13 say that. You can ask questions of their witness
14 when she takes the stand. You can ask questions of
15 their witness when she takes the stand.

16 THE WITNESS: No, this is for you what
17 I'm asking now.

18 ATTORNEY-EXAMINER FULLIN: I never said
19 you could ask me questions.

20 THE WITNESS: When you had me to do it,
21 how come you didn't have them to do it? That's the
22 when I'm asking.

23 ATTORNEY-EXAMINER FULLIN: Go ahead.

24 THE WITNESS: I can't ask them.

25 ATTORNEY-EXAMINER FULLIN: But I'm not

1 necessarily answering your questions.

2 THE WITNESS: You was the one that told
3 me to do it. And being over the situation, I didn't
4 hear nothing until that time what you are talking
5 about now. It done went all that time and I didn't
6 hear nothing. But you don't do me like that.

7 ATTORNEY-EXAMINER FULLIN: I will add
8 for the record that you and I had numerous
9 discussions over a period of many months, probably
10 close to a year, about discovery, and that when we
11 had those conversations I would always try to explain
12 to you.

13 You would ask me why you couldn't have a
14 hearing, why can't I have my hearing, I need to have
15 my hearing, you're not being fair because I'm not
16 getting my hearing, and I would tell you that the
17 reason we're not having a hearing is because we can't
18 have the hearing until discovery is complete.

19 And the first step that needs to happen
20 in order to complete discovery would be for you to
21 reply to their discovery questions that I put out an
22 entry that compelled you to do so, and until that
23 happened, we weren't going to have a hearing.

24 And then finally it got resolved on the
25 settlement conference call, which is a matter of

1 record in the case, and that's all I want to hear
2 about discovery, because discovery is now complete.
3 We are no longer talking about discovery.

4 THE WITNESS: Well, you can't get it
5 right unless you hear and get it right, the question
6 I'm asking you, because I'm not going to ask you no
7 ridiculous question, I'm telling you what happened.

8 ATTORNEY-EXAMINER FULLIN: I told you
9 what happened also.

10 THE WITNESS: And when I've got the
11 paperwork that you told me to get, I did not hear no
12 more about that until us three was on the telephone.
13 And like I said, that's been a year, and I should
14 have done heard something within before a year.

15 ATTORNEY-EXAMINER FULLIN: Again, we're
16 not here to resolve discovery issues, they have
17 already been resolved.

18 We're here for you to put on your case
19 in chief about what it is that you're complaining
20 about the company, and you can proceed to do so. I'm
21 no longer open to questions about discovery. That's
22 been resolved.

23 THE WITNESS: Okay.

24 ATTORNEY-EXAMINER FULLIN: So you can go
25 ahead with presenting whatever you want to say about

1 the company, or why you filed a complaint, and why
2 you should prevail based on what you're alleging.

3 THE WITNESS: The complaint that I just
4 told you, did you get that?

5 ATTORNEY-EXAMINER FULLIN: We're talking
6 about the complaint that you filed to start this
7 formal proceeding, yes.

8 THE WITNESS: Yeah, did you get that?

9 ATTORNEY-EXAMINER FULLIN: It's a
10 matter -- it's on record.

11 THE WITNESS: Okay. Because I never
12 did -- never did hear you say nothing about that,
13 about the telephone wire being cut.

14 ATTORNEY-EXAMINER FULLIN: I'm not here
15 to say anything. I'm here to listen to your
16 testimony and their testimony, and after the record
17 is established, then we'll make a judgment based on
18 today's record.

19 THE WITNESS: When they start, then I
20 got a question to ask.

21 ATTORNEY-EXAMINER FULLIN: Are you
22 finished?

23 THE WITNESS: Yes.

24 ATTORNEY-EXAMINER FULLIN: Okay. Would
25 you like to -- are you sure? Because that's the end,

1 you don't get to present anything further. You've
2 presented everything that you want to present?

3 THE WITNESS: You mean -- I thought you
4 said I could ask them questions. When they -- I
5 don't understand you.

6 ATTORNEY-EXAMINER FULLIN: Listen, when
7 they put on their witness and she provides testimony,
8 and she's done putting on her testimony, then it's
9 your turn to ask her questions that have to do with
10 what she testified to. Other than that, no, you
11 don't get to ask questions.

12 But now if you're ready to say you're
13 done presenting your evidence, that's when they will
14 get their turn to ask you questions. So they won't
15 do that until you're finished.

16 Now, if you're telling me that you're
17 done and you have nothing else that you want to
18 present, then it will be their turn to ask you
19 questions about anything that you brought up in your
20 testimony. And -- but they won't do that until you
21 say you're finished.

22 THE WITNESS: Well, I gave you what I
23 had, sir. That's it.

24 ATTORNEY-EXAMINER FULLIN: Well, I would
25 remind you, just to give you a fair chance here, we

1 did spend some time before the hearing started, in
2 case you wanted to present any exhibits or bills or
3 anything else that you wanted to present.

4 If you say you're done and you never
5 presented them to me, then they are not going to be
6 considered.

7 If you have something that's -- again,
8 you don't have to present anything. If you're done,
9 you're done. But I'm reminding you that if you say
10 you're done, you're not going to be bringing those
11 things in later. This is your chance.

12 THE WITNESS: Okay. One thing I would
13 like to add, then I be done. When I talked to the
14 lady, when us three talked, she had this
15 (indicating). She told you that she had that. So
16 that's it.

17 ATTORNEY-EXAMINER FULLIN: Okay. So
18 you're finished?

19 THE WITNESS: Uh-huh.

20 ATTORNEY-EXAMINER FULLIN: With all your
21 presentation of testimony?

22 Okay. Thank you. Ms. Noble, you can
23 question the witness.

24 MS. NOBLE: Thank you.

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CROSS-EXAMINATION

By Ms. Noble:

Q. Bishop Graham, I do have a couple questions for you. I want to ask you about both the three-month power outage you talked about, and also your line being cut at the Church. Would that be okay?

A. Yeah.

Q. Okay. When did you become the Pastor of the Church of Miracle Ministries?

A. 22 years ago.

Q. Congratulations. It's a long time.

Let's go back to 2012. You said that your phone wasn't being used that much and the bill was brought down, am I correct?

A. Yes, the bill was cut down after that. They tested out to see.

Q. So you're not claiming any damages from the time period of 2012/2013 today; is that correct?

A. No.

Q. Okay. Then let's move to 2015. Your complaint that you filed on record here says the time frame for the time your phone was off was the spring of 2015?

A. Right.

1 Q. Do you think that's correct?

2 A. Yes, that's right.

3 Q. So the three-month outage we're talking
4 about was in the spring of 2015?

5 A. Uh-huh.

6 Q. And you said that you thought your phone
7 was out for some period of time before you notified
8 Frontier of that?

9 A. Right.

10 Q. About how long was your phone out of
11 power before you informed Frontier?

12 A. I don't know. That's the reason I
13 didn't know that it was out.

14 Q. And then once you called Frontier, how
15 long was your phone out before Frontier came and
16 inspected and fixed the problem?

17 A. It wasn't out very long after that.

18 Q. And when you say "not very long", like
19 less than a week?

20 A. Yeah, about a week.

21 Q. Okay. And I said there that Frontier
22 fixed it. Is it correct that Frontier came out and
23 fixed your phone?

24 A. Yeah, they fixed the line.

25 Q. So they fixed the phone in the spring of

1 2015 after it had been out?

2 A. Right.

3 Q. And they fixed it within a week of you
4 calling them?

5 A. Right.

6 Q. Okay. And you also said that Frontier
7 paid you, and you used the words they paid for that
8 period of time. Do you recall that?

9 A. Uh-huh. Right.

10 Q. And when you say they paid you, are you
11 agreeing that Frontier provided you some credits for
12 that period of time when your phone was out in the
13 spring of 2015?

14 A. That's what they did. That's how they
15 did it.

16 Q. Okay. Then I want to go on to your line
17 being cut. Do you remember the time frame of when
18 your line was cut from your testimony earlier?

19 A. The time frame?

20 Q. When did that happen?

21 A. It happened in the summer of 2016.

22 Q. Okay. And how long was your phone out
23 that time when your line was cut in the summer of
24 2016?

25 A. No longer than that man was out there.

1 Q. We need a time frame. Days? One day?

2 A. Yeah, one day.

3 Q. It was out one day?

4 A. Right.

5 Q. Okay. And you also mentioned that the
6 Frontier representative came inside the Church. Do
7 you recall that?

8 A. Uh-huh; yes, he did.

9 Q. Did that Frontier representative come
10 inside the Church as a courtesy to you, or trying to
11 be helpful to the Church?

12 A. He came inside to move the line.

13 Q. And when you're saying he moved the
14 line, that has to do with the one-day outage of
15 service?

16 A. It had to do with the -- yeah, the
17 telephone being out. And what he -- what he did, he
18 really didn't have to do that.

19 Q. And you said he didn't have to do that,
20 so you're saying he came inside to be helpful?

21 A. Yeah, he didn't have to come inside, the
22 damage was on the outside.

23 Q. Okay. And during your testimony you
24 didn't say any facts as to sort of how this line got
25 cut. Do you know how the line was cut?

1 A. He showed me the knife. The knife was
2 laying on the ground.

3 Q. Was the knife laying on the ground when
4 the Frontier representative came to the Church?

5 A. He told me this was the knife that cut
6 the line, and it was laying on the ground, okay? So
7 now when I got there, it was laying on the ground.
8 So that's all I could tell you about that.

9 Q. And you aren't saying you think the
10 Frontier representative used the knife on the line
11 for the Church, are you?

12 A. Yeah, he had to do that.

13 Q. You think the --

14 A. And he was told to do that. He didn't
15 do it on his own. He was told to do that by his
16 boss, and he explained that to me, okay? He didn't
17 do that -- he didn't have nothing against me.

18 Q. And you didn't see that happen, am I
19 correct?

20 A. No, I didn't. No, he called me -- now
21 remember what I said. He called me from home and
22 told me my line had been cut.

23 And I asked him how did he get over
24 there, and he said his boss tried to call the Church
25 and he couldn't get no reception, and his boss told

1 him to come over there.

2 But I looked at -- if he told this
3 technician to come over to that Church, then how come
4 they didn't find out when it was out three months and
5 call me? And I looked at that very hard, ma'am.

6 Q. And, Bishop Graham, when the Frontier
7 representative was there at the Church in the summer
8 of 2016, was he polite to you?

9 A. Yes, he was.

10 Q. He was courteous to you?

11 A. Yes, he was. He didn't say nothing out
12 of the way. He talked real nice.

13 Q. Bishop Graham, the last thing you
14 mentioned was a vague list that you mentioned. What
15 was your purpose of mentioning a list?

16 A. A what?

17 Q. The last thing you talked about --

18 A. The list? Okay. The list is what I
19 presented that what they would owe me. That's what
20 that was.

21 Q. Okay.

22 A. I got all the bills and I had to count
23 it up. And when I did that, I sent you all a copy of
24 it. Okay? And when I sent you all a copy of it, you
25 got it, because when us three were talking, she told

1 him that she had the -- I had sent the bill.

2 And she had everything that I had down
3 there. She called it off to me when I would call it
4 off to her. She would say yeah, it's on here. So
5 that's what I was talking about, the last thing I was
6 talking about.

7 MS. NOBLE: I have no further questions.

8 ATTORNEY-EXAMINER FULLIN: Okay. Well,
9 I think I have some, because I'm very confused.

10 - - -

11 EXAMINATION

12 By Attorney-Examiner Fullin:

13 Q. I think it was just during this
14 questioning that it came up about a knife that cut
15 the line, but earlier I heard testimony about a fire
16 that caused the line to not work. So could you
17 explain to me --

18 A. Yes, I sure can. The fire was on a
19 house about four houses up from the Church. The
20 line -- my line and their line was on the same pole.
21 That's how it burned my line a little.

22 Q. Pardon me?

23 A. That's how it burned my line a little,
24 because it was on the same pole.

25 Q. Okay.

1 A. So -- and the technician, he knowed
2 about that, because he worked out there. And so when
3 I told him about the -- I didn't have no telephone,
4 and he said Reverend Graham, it probably got burned a
5 little when the fire was up the street.

6 So I heard it, and I said, come to think
7 about it, I heard it, too. But I didn't know that it
8 did no damage to the -- my line to the Church.

9 Now, what you're talking about is two
10 different things now.

11 Q. Well, help me understand when each thing
12 happened.

13 A. Okay. This happened in 2015.

14 Q. What happened in 2015?

15 A. The three months that the telephone was
16 out.

17 Q. No, I just -- you can explain it --

18 A. You're getting yourself confused.
19 Listen, you got to listen. On the pole, 2015, that's
20 when the telephone was out, 2015.

21 Q. Okay.

22 A. The next year is what I'm talking about
23 the lines were cut.

24 Q. 2016?

25 A. That's the next year. Okay?

1 Q. You're testifying.

2 A. It happened in the summer of 2016.

3 Q. And what happened in 2016 in the summer?

4 A. Is when the line was cut. And when he
5 called me, he showed me the knife. The knife was
6 down on the ground.

7 Q. He came out to respond to you reporting
8 that you didn't have service?

9 A. No, he came out --

10 Q. When was the one-day repaired? It was
11 all repaired in one day, right?

12 A. He was referring to his boss, not me. I
13 didn't know they were cut.

14 Q. When did it get repaired in one day?

15 A. Yes.

16 Q. The same day --

17 A. Yeah, because --

18 Q. -- that he came out and showed you the
19 knife?

20 A. His boss sent him out there. I didn't
21 know that the line was cut until he called me, okay?
22 Now, you understand it now?

23 Q. No.

24 A. What you don't understand?

25 Q. Why did he come out?

1 A. His boss sent him out there; his boss.

2 Q. Why did his boss send him out there?

3 When did you report that you were out of service?

4 A. I didn't.

5 Q. You never called to report you were out
6 of service?

7 A. No. No.

8 Q. They just showed up one day?

9 A. I asked him, the technician, what was he
10 doing over there, and he said his boss tried to call
11 the Church, and he found out that the phone wasn't
12 working.

13 Q. Okay.

14 A. Not me.

15 Q. Okay.

16 A. Okay. And so he called me at home. I
17 was at home when he called me and told me to come
18 over there, I had a telephone line cut. And so
19 that's what I did, I went over there.

20 And I asked him -- I said well, I didn't
21 report this, what are you doing over here, and he
22 said my boss sent me over here. I said your boss? I
23 said that seems kind of strange, if he called this
24 line and finds out that it wasn't working, and I'm
25 wondering how come nobody didn't call when it was off

1 three months.

2 Q. Okay. So you're telling me that in
3 2016, the summer of 2016, you found the technician
4 out on your property?

5 A. He called me, yeah. I was at home.

6 Q. And that's the first you knew you were
7 out of service?

8 A. Right.

9 Q. But then that same day when he called
10 you, he brought you outside to see the knife lying on
11 the surface --

12 A. He was outside.

13 Q. And told you that that is the knife that
14 cut the line?

15 A. Yeah.

16 Q. And on that same day, service was
17 restored?

18 A. Yeah, right.

19 Q. And you had never called to report
20 nonservice?

21 A. Because I didn't know.

22 Q. But the same day that he showed you the
23 knife, is the same day that he made the repair to the
24 line?

25 A. Right.

1 Q. Which apparently happened because the
2 company itself found out about the nonservice?

3 A. Right. There you go.

4 Q. I'll leave it at that.

5 A. Well, that's it. That's the truth.

6 MS. NOBLE: Mr. Fullin, may I asked one
7 followup question based on that?

8 ATTORNEY-EXAMINER FULLIN: Sure.

9 By Ms. Noble:

10 Q. Bishop Graham, you said the Frontier
11 representative in the summer of 2016 showed you the
12 knife that was on the ground?

13 A. Yeah.

14 Q. Could you describe the knife?

15 A. It looked like a kitchen knife, one of
16 those that had -- you know, had teeth in it, like a
17 steak knife. It was made like that.

18 MS. NOBLE: No further questions.

19 ATTORNEY-EXAMINER FULLIN: Thank you.
20 Do you have anything further that you want to bring
21 up that relates to what you've already presented?

22 THE WITNESS: No, that's it.

23 ATTORNEY-EXAMINER FULLIN: So are you
24 ready to rest your case? You're not going to present
25 anything further?

1 THE WITNESS: No, I don't know anything
2 else.

3 ATTORNEY-EXAMINER FULLIN: If that's the
4 case, then I will allow you to rest and I will let
5 the company call their witness next.

6 And then she'll be sworn in, provide
7 whatever testimony she's going to provide, and when
8 she's done presenting, then you can ask her
9 cross-examination questions. And they have to relate
10 to what it is that she's testifying about. So I'll
11 go ahead and swear -- well, I'll let you introduce
12 the witness.

13 MS. NOBLE: Actually, if it's okay, I'll
14 have the witness introduce herself.

15 ATTORNEY-EXAMINER FULLIN: You want to
16 be sworn in first? Do you swear or affirm that the
17 testimony you provide today will be the truth, the
18 whole truth, and nothing but the truth.

19 MS. COLE: Yes.

20 - - -

21 Cassady Cole,
22 being first duly sworn, as prescribed by law, was
23 examined and testified as follows:

24 DIRECT EXAMINATION

25 By Ms. Noble:

1 Q. Ms. Cole, do you want to introduce
2 yourself?

3 A. My name is Cassandra Cole, I am the
4 Frontier Regulatory and Government Affairs Manager
5 for Ohio.

6 Q. How long have you worked in that
7 position?

8 A. 22 years.

9 Q. And have you been involved in this
10 matter since the initial filing of the complaint by
11 Bishop Graham?

12 A. Yes.

13 Q. And have you reviewed all filings in
14 this matter that Mr. Graham submitted to the public
15 record?

16 A. Yes.

17 Q. And have you also reviewed all of the
18 account documents regarding the account for the
19 Church of Miracle Ministries?

20 A. Yes.

21 (EXHIBIT MARKED FOR IDENTIFICATION.)

22 MS. NOBLE: I'm going to mark one
23 exhibit; it's actually a packet of bills. And I
24 assume you don't care if I use letters or numbers?

25 ATTORNEY-EXAMINER FULLIN: No.

1 MS. NOBLE: I'll mark it as Defense
2 Exhibit 1.

3 ATTORNEY-EXAMINER FULLIN: That will be
4 reflected on the record.

5 MS. NOBLE: And I'll have Ms. Cole help
6 me with identifying the exhibit, but it is a packet
7 of bills regarding the account.

8 By Ms. Noble:

9 Q. Ms. Cole, are you familiar with
10 Exhibit 1?

11 A. Yes.

12 Q. And Exhibit 1 is a copy of bills for the
13 account from March 2015 through March 2018. Do you
14 agree with that?

15 A. I think it's just through February 2018.

16 Q. Thank you. And did you assist in
17 compiling these documents for Exhibit 1?

18 A. Yes.

19 Q. And did you look through these exhibits
20 for the purpose of all the complaints and concerns of
21 Bishop Graham as it relates to the account?

22 A. Yes.

23 Q. And during your review have you found
24 any of Bishop Graham's complaints regarding outages
25 or monthly bills that need adjusted that haven't

1 already been adjusted in the bill packet?

2 A. No.

3 Q. And I want to first talk about the three
4 months outage in 2015. Was there a repair ticket
5 regarding that outage?

6 A. Yes.

7 Q. And did you review that in your review
8 of the account for this case?

9 A. Yes.

10 Q. And for an outage, Mr. Graham testified
11 it was about a one-week. Did you hear that
12 testimony?

13 A. Yes.

14 Q. And under the PUCO rules, how much would
15 be due for the period of time for that three-month
16 outage?

17 A. The PUCO rules in effect for credits at
18 that time require a credit for regulated local
19 service charges for one month if the regulated
20 services are out more than 72 hours, with some
21 exception.

22 Q. And let's back up just for a second. I
23 think my question was a little bit confusing. Sorry
24 about that. Bishop Graham testified that his phone
25 was out for three months. Do you remember that?

1 A. Yes.

2 Q. And he also testified at the time he
3 informed Frontier of the outage, it only remained out
4 of service for one week thereafter. Do you recall
5 that?

6 A. Yes.

7 Q. And if Bishop Graham's service was only
8 out for one week after informing Frontier of the
9 outage, would anything be due to Pastor Graham?

10 A. Depending on the cause of the outage, a
11 30-day regulated local service credit may have been
12 due.

13 Q. And have you reviewed the bill package,
14 Exhibit 1, to see if in fact Bishop Graham's account
15 was in fact credited due to this outage?

16 A. Yes, he was credited.

17 Q. And let's actually pull out the exact
18 bill that he was credited.

19 MS. NOBLE: And, Mr. Fullin, I did put
20 Post-It notes to make it easier on us for all the
21 exhibits where these credits are.

22 ATTORNEY-EXAMINER FULLIN: That sounds
23 like a good idea.

24 MS. NOBLE: And the first Post-It I've
25 marked there --

1 ATTORNEY-EXAMINER FULLIN: Is it in this
2 packet somewhere?

3 MS. NOBLE: It's a Post-It note.

4 ATTORNEY-EXAMINER FULLIN: So it's the
5 first one that has a marking on it -- sticky on it?

6 MS. NOBLE: Yeah.

7 By Ms. Noble:

8 Q. And, Ms. Cole, why don't you walk us
9 through those credits, when they were issued, for how
10 much?

11 ATTORNEY-EXAMINER FULLIN: Just to make
12 sure, it looks like the date of the bill is
13 August 22nd of 2015, looking at page 1 of 2 of that
14 bill.

15 MS. NOBLE: The last tab. There's two
16 separate credits during that time period.

17 ATTORNEY-EXAMINER FULLIN: So that's the
18 bill of July 22nd of 2015?

19 THE WITNESS: Yes. On the July 2015
20 bill there's a credit on the first page of the bill
21 for 34.72, and the line item detail says out of
22 service credits over 72 hours.

23 By Ms. Noble:

24 Q. And is there any other credits on this
25 account -- these bills for that outage and that

1 ticket?

2 A. There was an additional credit issued on
3 the August 2015 bill for \$73.40, and that also
4 appears on the first page of the August 2015 bill.

5 Q. Let's move then to the cut line in the
6 summer of 2016. Have you reviewed Frontier's tickets
7 regarding that outage?

8 A. Yes.

9 Q. And have you also reviewed the bills for
10 any credits issued to Reverend Graham for that one
11 day out of service?

12 A. Yes.

13 Q. And how much in credits were issued to
14 Bishop Graham's account for that one day out of
15 service?

16 A. There was a credit issued of \$25 on
17 August 3rd, 2016.

18 MS. NOBLE: Mr. Fullin, I don't have
19 this one posted, but we will find it here.

20 ATTORNEY-EXAMINER FULLIN: The August
21 bill, 2016. I'm looking at page 3 of that. Now it's
22 in front of me.

23 THE WITNESS: The August 2016 bill
24 reflects a \$25 billing adjustment on the first page
25 of the bill. There's also a \$17 customer refund

1 noted on that bill. That is for inside wire
2 maintenance service.

3 ATTORNEY-EXAMINER FULLIN: So in the
4 middle of the page it's marked "Billing Adjustment",
5 minus 25, and right below it, "Customer Refund",
6 minus 17.

7 THE WITNESS: Yes.

8 ATTORNEY-EXAMINER FULLIN: I see it.
9 By Ms. Noble:

10 Q. Ms. Cole, do you remember Pastor Graham
11 testifying that he thought after receiving these
12 credits his bill then went up as a result of some
13 sort of retaliation?

14 A. Yes.

15 Q. All right. I wanted to look back at
16 these bills and see what the amount of the bill was
17 prior to these credits and compare it with
18 afterwards.

19 So if we go to the earliest date
20 possible in this packet, that would be what month,
21 and what was the amount of that invoice?

22 A. That would be the March 2015 bill. The
23 total amount due was \$46.39.

24 Q. If we go maybe one more bill before the
25 credits are issued, how much is that bill and what's

1 the date?

2 A. That is the June 2015 bill. The total
3 amount due is \$47.73.

4 Q. And if we look at the most recent bill
5 in this packet of March 2018, what is the monthly
6 charge of that bill?

7 A. February 2018?

8 Q. Yeah, February 2018.

9 A. The total amount due is \$43.08.

10 Q. Does this account have inside wiring
11 maintenance coverage?

12 A. The account did have inside wire
13 maintenance coverage.

14 Q. Was it removed at some point in time?

15 A. Yes, I believe the date was July 29th,
16 2016, which is why the credit reflects on the August
17 bill for the \$17.

18 Yeah, the August 2016 bill on page 2
19 reflects a proration credit when the inside wire
20 maintenance was removed. So it gives a \$5.57 credit,
21 prorating back to July 30th, and all subsequent bills
22 had no inside wire maintenance coverage billed.

23 ATTORNEY-EXAMINER FULLIN: You say
24 that's the August 2016 bill?

25 THE WITNESS: Yes. The same one that

1 had that the \$25 credit and the \$17 credit.

2 ATTORNEY-EXAMINER FULLIN: Okay. Where
3 is it on the page that it shows it?

4 THE WITNESS: It actually shows it
5 twice, but it is on the first page, almost to the
6 bottom of that page.

7 But there's more detail on the second
8 page that shows the partial month credit, inside
9 wiring maintenance. There's a number after that that
10 starts with an 03. That would be the order number
11 that removed it, and effective credit back to
12 July 30th of 2016 for \$5.75.

13 ATTORNEY-EXAMINER FULLIN: That helps me
14 when I go to find them later on that you testified
15 about, and I see it.

16 MS. NOBLE: Mr. Fullin, I think that
17 addresses Bishop Graham's testimony at the beginning
18 of this hearing as to the outage in the spring of
19 2015, and the outage in the summer of 2016.

20 And unless anything is brought up on
21 cross-examination, I don't think that we need to
22 respond to anything further.

23 ATTORNEY-EXAMINER FULLIN: Okay. So
24 then I'll allow him to cross-examine the witness on
25 anything that she testified to, including the

1 exhibit.

2 Anything you wanted to ask her about her
3 testimony or her exhibit, this is your chance. And
4 anything you ask, then she'll get to respond by
5 answering you and then later she'll -- Ms. Noble will
6 be allowed to ask her further questions to everything
7 you bring up. So it's your turn to ask questions.

8 - - -

9 CROSS-EXAMINATION

10 By Bishop Graham:

11 Q. What is your name?

12 A. Cassandra.

13 Q. Cassandra, I noticed that after this
14 happened in 2015, I noticed that my bills went up,
15 and I couldn't figure that out. Why did they go up,
16 you know, after that? You know, why did they --
17 because if you look and see, my bill is like \$48, and
18 it kept keeping in line like \$47, you know. That's
19 what it went up.

20 And I couldn't understand why would my
21 bill go up, because they had brought it down, you
22 know. And I couldn't understand that.

23 ATTORNEY-EXAMINER FULLIN: Do you want
24 to give her a chance to respond? To me it might be
25 helpful -- you cited a bill at \$48. Did you have a

1 month for her to look at?

2 This exhibit purports to be a copy of
3 the amounts on the bills, so you mentioned \$48. Are
4 you referring to a particular bill? What month is
5 it? What is it -- maybe she could look at that month
6 and that might help her answer the question. I think
7 it would just be fair.

8 BISHOP GRAHAM: The second month in
9 2016. Second month, 16th day, and this bill is
10 48.12.

11 THE WITNESS: February 2016?
12 By Bishop Graham?

13 Q. Yes.

14 A. Okay. Let me find it. So your question
15 is?

16 Q. Why is it \$48.12?

17 A. Well, there are several rates that are
18 totalled to get the \$48.15. Your basic line rate,
19 which is a measured business rate, is 26.59. There
20 is a subscriber line charge, \$8.13, measured service
21 of 3 cents, federal excise tax, 1.15, USF recovery
22 charge, 1.48, state access recovery charge, \$3,
23 telecom relay service is 3 cents. 911 surcharge, 24
24 cents for a total of 40; 67 cents, plus the inside
25 wire maintenance plan, because this was prior to the

1 inside wire maintenance plan being removed in July of
2 that year, \$7.50, for a total of \$48.15.

3 Q. Okay. I found a bill, and it goes to
4 2012 when I called them about bringing my bill down,
5 okay? And you go and you look at that and you can
6 see how much my bill is, and I still had the wiring
7 on there. I still had the wiring on there.

8 And when I looked at what you just got
9 through saying, I looked at that, and I wondered why
10 did they increase that like that? You know, I
11 couldn't figure that out. Why would they increase
12 that when it wasn't supposed to be like that.

13 Now, if you can look at when I got in
14 touch with PUCO, they kept that bill down after that.
15 And you go and look and see it's \$42 and something,
16 you know. That's -- now, that's what it's supposed
17 to be.

18 And I was wondering, why did they go up
19 like this, what you just got through saying. That
20 wasn't supposed to do that, it was supposed to be
21 down to \$42, at least 43. It wasn't supposed to
22 be 48.

23 They overcharged me on that. They was
24 supposed to not charge me like that. So I'm being
25 honest, that's true. That's the reason I looked at

1 that and I said well -- and see, what that told to
2 me, when I was trying to call to get it right, you
3 couldn't get it right with them guys. You're talking
4 about they wouldn't talk right, okay?

5 Now, a customer, you're supposed to
6 listen to them until you prove that he's wrong -- you
7 prove that he's wrong, you know.

8 ATTORNEY-EXAMINER FULLIN: Mr. Graham,
9 this is your chance to ask questions. It's her
10 testimony.

11 BISHOP GRAHAM: That's a question.

12 ATTORNEY-EXAMINER FULLIN: You're
13 testifying about your case.

14 BISHOP GRAHAM: I asked her a question.
15 Why did they go up on my bill like that? You didn't
16 hear? You didn't hear me ask her that?

17 ATTORNEY-EXAMINER FULLIN: You were
18 still talking. When are you going to give her a
19 chance to answer the question?

20 BISHOP GRAHAM: Well, you can say that,
21 but don't say I didn't ask her a question, sir,
22 because you're not hearing. I did ask her a
23 question.

24 ATTORNEY-EXAMINER FULLIN: You were
25 testifying. You already had your chance to testify.

1 This is your chance to ask her a question about her
2 testimony.

3 BISHOP GRAHAM: You may call it
4 testimony, but I was explaining myself.

5 ATTORNEY-EXAMINER FULLIN: This is your
6 chance to ask about her testimony.

7 BISHOP GRAHAM: If it's not explained,
8 they are not going to understand me. I believe in
9 understanding. Understanding is the best thing it
10 is. You can ask a question, but if you ain't got no
11 understanding, how is a person going to understand
12 the answer?

13 ATTORNEY-EXAMINER FULLIN: If she can't
14 understand it, she can tell you that and you can ask
15 another question. You can clarify what you're trying
16 to ask her.

17 BISHOP GRAHAM: You don't do me right,
18 sir. I don't understand that. I don't understand
19 that.

20 ATTORNEY-EXAMINER FULLIN: So once more,
21 what is the question you're asking the witness?

22 BISHOP GRAHAM: I asked her why did they
23 go up on my bill when they wasn't supposed to be that
24 much. And to look at the list, she can see how much
25 the bill was.

1 ATTORNEY-EXAMINER FULLIN: Are you able
2 to answer that question?

3 THE WITNESS: I will try to answer the
4 question. I'll preface it by confirming that you're
5 asking me why the bill would increase from 2012
6 through 2019?

7 By Bishop Graham:

8 Q. Yeah. It increased after that three
9 months. Well, it increased a little before that, but
10 I think what happened is they got new employees.

11 A. Okay. So I guess I'll have to say in
12 general, without going through every single bill to
13 itemize it since we have itemized copies here, going
14 back to 2015, overall, bills will vary. They can
15 vary as rates increase.

16 Q. But not that much. Not that much, you
17 know, because I'm looking --

18 ATTORNEY-EXAMINER FULLIN: Is that a
19 question? Is that a question, or are you just
20 answering -- you're answering your own question, or
21 what's going on here?

22 She's answering the question and you're
23 interrupting her by saying what your opinion is. Let
24 her answer the question, then ask her another one.

25 BISHOP GRAHAM: I can't, because you're

1 messing up.

2 ATTORNEY-EXAMINER FULLIN: Because
3 you're testifying instead of asking her a question.
4 It's not your turn to talk. She is answering your
5 questions, and you've interrupted her.

6 BISHOP GRAHAM: Well, you don't want me
7 to answer no question.

8 ATTORNEY-EXAMINER FULLIN: No, you're
9 done answering questions. You're done answering
10 questions.

11 Now, are you finished with your answer.

12 THE WITNESS: I could provide some
13 additional information if it would help clarify the
14 situation.

15 There are many rate elements on the
16 bills; those can increase. There are
17 opportunities -- technically, Frontier has been
18 allowed to raise local rates by 1.25 per year, so
19 there can be up to 1.25 rate increase on your dial
20 tone rates annually.

21 Over time there can be new surcharges,
22 there can be adjustments to surcharge rates. There
23 can be add-on charges. You have a measured local
24 service rate, which means that any local calls being
25 made out from the Church line are billable. So if

1 there were usage calls on the bill, the bill would
2 obviously vary.

3 If someone used a phone line to dial
4 411, if someone used a phone line to dial long
5 distance, those would be additional changes in the
6 bill, with accordingly adding taxes, surcharges,
7 whatever is applicable.

8 So at no point when I reviewed -- at no
9 point when I reviewed the bill did I find any added
10 charges. There were no charges for labor or inside
11 wiring maintenance after you removed the inside wire
12 maintenance.

13 Frontier did not bill any trip charges
14 for the technician to go out, and your rate was not
15 unilaterally increased from anything that is not
16 already in the tariff.

17 So the rates that are in the tariff are
18 what is applicable to your service. So there have
19 been increases in certain line items, which is why we
20 send you an itemized bill so that you can see the
21 detail.

22 Unfortunately, at this point, I have not
23 seen any specific line items that you questioned, or
24 have done a comparison of to ask me specifically
25 about, so that's my answer in general.

1 By Bishop Graham:

2 Q. How come Frontier charges you two
3 months? Why do they do that?

4 A. Frontier does not charge you for two
5 months. I think what you're referring to is if
6 Frontier charges you a late fee that is applicable.

7 Q. No, ma'am.

8 A. Would you let me finish?

9 Q. No, no.

10 A. Okay. So you're referring to your June
11 2015 statement. That shows a previous balance of
12 106.91, and the new charge is a 58.09.

13 So if you miss a month or you don't pay
14 on a timely basis, when the bill prints, the day that
15 it prints, if your payment has not been received it
16 is, of course, going to show you the amount from last
17 month, minus any payment, and your new charges.

18 So it is not a double bill, it is simply
19 telling you that the past -- the bill prior to, was
20 not paid. There are no duplication of charges. It's
21 just simply stating that -- what your carryover
22 balance is from the prior bill.

23 Q. I'm being honest with you, I don't quite
24 understand that, you know, because I'm not perfect.
25 Sometimes I would be a day late, but, you know, I

1 don't mind paying the late charges, but when they
2 send me a bill for double like that, you know, I
3 don't like that, you know. There's a right way and a
4 wrong way.

5 ATTORNEY-EXAMINER FULLIN: Do you have a
6 question? This is your chance to ask your questions.
7 She responded to your --

8 BISHOP GRAHAM: You got on me a while
9 ago about asking questions.

10 ATTORNEY-EXAMINER FULLIN: No, this is
11 your chance to ask questions.

12 BISHOP GRAHAM: You got on me and I was
13 asking a question trying to explain to what --

14 ATTORNEY-EXAMINER FULLIN: She gave you
15 an answer to your last question. Do you have a
16 followup question of any kind?

17 BISHOP GRAHAM: Well, I'm still not
18 clear on that. Like she was telling me they add \$1
19 something on there, or \$2 or something on the bill.
20 I wasn't clear on that. And some time ago, I think I
21 tried to talk to somebody about that.

22 ATTORNEY-EXAMINER FULLIN: I don't hear
23 a question. I don't hear any question.

24 BISHOP GRAHAM: The question was why did
25 they do that?

1 ATTORNEY-EXAMINER FULLIN: Why did they
2 do what?

3 BISHOP GRAHAM: Add the money on to the
4 bill like that.

5 ATTORNEY-EXAMINER FULLIN: And what
6 money are you talking about?

7 BISHOP GRAHAM: You have to look at the
8 bill to see. You have to look at the bill to see,
9 okay?

10 ATTORNEY-EXAMINER FULLIN: Are you able
11 to answer the question? I don't know what money
12 you're talking about. Do you understand the
13 question?

14 THE WITNESS: I can only assume that
15 he's referring to a late payment fee -- can I finish?
16 By Bishop Graham:

17 Q. No, I'm talking about the bill that
18 comes out. You can look and see on the bill, ma'am.
19 I'll show it to you so you know.

20 A. What is the date you're looking at?

21 Q. See how they had the \$48 on there? That
22 ain't supposed to be no \$48.

23 A. Those are your monthly charges.

24 Q. That's what I'm saying. Why do they do
25 me like that?

1 ATTORNEY-EXAMINER FULLIN: Which bill
2 are we talking about so I can identify it on the
3 record?

4 BISHOP GRAHAM: 12-22-15.

5 ATTORNEY-EXAMINER FULLIN: Okay. I'm
6 looking for it.

7 BISHOP GRAHAM: And I do have several of
8 them like that, ma'am.

9 ATTORNEY-EXAMINER FULLIN: Let's talk
10 about one at a time. Okay. I have it in front of
11 me. So which number are you talking about? I see 48
12 written here several times.

13 BISHOP GRAHAM: That's what I'm asking,
14 why is it --

15 ATTORNEY-EXAMINER FULLIN: So are you
16 talking about the total amount due on the first line?

17 BISHOP GRAHAM: I'm talking about the
18 total down here. The total is \$48.

19 ATTORNEY-EXAMINER FULLIN: The last line
20 is 48, it says total?

21 BISHOP GRAHAM: That's what I'm talking
22 about.

23 ATTORNEY-EXAMINER FULLIN: On page 1
24 of 2. So you want her to explain that amount on the
25 bill?

1 BISHOP GRAHAM: I wanted to know why
2 they raised it like that. They ain't supposed to
3 raise it like that.

4 ATTORNEY-EXAMINER FULLIN: Are you able
5 to answer?

6 THE WITNESS: I think we have to go back
7 to -- just so happens that the exact amount of the
8 bill prior, the November 2015 bill, actually was 48
9 even.

10 So the December bill was also exactly
11 \$48, which would mean that no taxes, surcharges,
12 usage, nothing changed from one bill to the next. So
13 your new bill is \$48. Can I finish?
14 By Bishop Graham:

15 Q. I'm sorry. Forgive me.

16 A. And then -- so for example, the next
17 bill, which is January 2016, the bill reflects just
18 one \$48 payment. So you did not make duplicate \$48
19 payments, your bills happen to be \$48 even, more than
20 once.

21 When you don't pay a bill on time and
22 the bill is printed, it does not double bill you. We
23 actually bill a late payment charge on the account.
24 That's all we bill, is a late payment charge.

25 By Bishop Graham:

1 Q. I got them out of line when we took them
2 back there to make copies off of there to show you.
3 He wanted me to give you a copy, him a copy, of the
4 bill. Okay?

5 I want to show you, one, ma'am, it's
6 back -- and the reason why I'm showing you this is to
7 show you what my bill would normally be. This is
8 what the bill would normally be. Now, when it comes
9 up to \$48, I don't understand that.

10 A. So you're showing me a bill from June
11 2012? You don't have all of the pages of the bill
12 here.

13 Q. I want to show you what they cut it down
14 to. That is what they cut it down to.

15 A. And I don't know what it was before, so
16 I apologize, but Frontier doesn't retain bills back
17 to 2012.

18 Q. No, no, I wanted to let you know what my
19 bill is supposed to be. That's what I'm telling you.

20 A. Well, what a bill is from one time
21 period to the next, there's no guarantees that when
22 you have a bill, that that bill is never going to go
23 up or never going to go down.

24 So there is no rate that Frontier can
25 quote that any customer's bill will be because they

1 don't -- they can't foresee ten years in the future
2 to know what rate increases may occur, what taxes or
3 surcharges may change.

4 And there have been differences since
5 2012 and 2019. However, your bill in June 2012, what
6 you're showing to me, appears to be 43.66 cents.

7 The most recent bill in this packet is
8 February 2018, and the bill is \$43.08. So if the
9 assumption is that the differences in all of the
10 bills for the prior seven years were penalties or
11 inaccurate charges, I did not see that when I
12 reviewed any of the bills.

13 And even today I could not tell you what
14 your next bill will be or what your bill will be in a
15 year.

16 Q. Why are they like that? Why do they
17 change the bills like that? I don't understand that.
18 Can you explain that to me? I don't understand, why
19 my bill is supposed to be a certain price, and they
20 keep changing it?

21 A. But I have answered that. I've
22 explained to you all the scenarios -- or some of the
23 scenarios that could happen. No different than your
24 electric bill; your electric bill can change based on
25 if you change companies.

1 Q. But what the difference is that you use
2 more. I am a retired employee from Dayton Power &
3 Light, so I know about that.

4 But this telephone. I had it fixed that
5 no calls, like long distance -- don't have that on
6 there. I had it fixed where -- emergency calls. So
7 having it fixed like that -- and that's the reason I
8 have to go to the line to let them know that I wasn't
9 using the phone that much. That's what that was for.

10 That's the reason I went back to '12. I
11 know that you probably wouldn't have that, but I was
12 showing you what I did to bring my bill down. That's
13 what I was bringing back to you.

14 A. So I understand that perhaps you called
15 in June 2012, made some change, maybe you added a
16 long distance block so no one could make toll calls
17 from your Church line.

18 However, again, Frontier is allowed to
19 increase rates on applicable charges. There are
20 changes in other rates and federal rates, local
21 rates. There can be changes in taxes. There can be
22 additional charges that can be billed.

23 That's why I can't tell you, no Frontier
24 employee, can tell you what your bill will be
25 forever. We don't have a one --

1 Q. They supposed to let you know.

2 A. We do. When we send you the bill we let
3 you know if there's an increase coming. We provide
4 the proper customer notification on the bill.

5 Q. I don't never remember seeing that.
6 Maybe it's my fault, but I don't remember -- I don't
7 never remember seeing that.

8 A. In this packet of bills there are
9 several bill messages that you should pay attention
10 to when they come out on your bill that alert you to
11 changes of the account, increases, if there are any,
12 changes in certain taxes, surcharges, rates.

13 Q. That's on this what you gave me?

14 A. Yes.

15 Q. It's on that?

16 A. Yes. What you get at home is a
17 different version of this bill. It's a little bit
18 prettier, it has the different format, but the same
19 lines and the same detail are on that bill, those
20 bills that we sent every month, but I don't believe
21 that that was a complete bill from 20 --

22 Q. Let me ask you this question, ma'am. If
23 I get a bill and your company makes a mistake, how
24 could I get it right? How could I get it right, you
25 know? If I get a bill and it's not right, I'm saying

1 how could I get it right?

2 A. If you notice an error on your bill, you
3 can call the toll free number, which I have notes
4 that you have contacted that toll free number in the
5 past. So you do have that number. But it's also
6 printed on --

7 Q. Do you know that is hard to get?

8 A. I can't answer to that.

9 Q. But I can, see? And that's what I can
10 talk to the --

11 BISHOP GRAHAM: And yes, sir, I'm asking
12 her a question.

13 ATTORNEY-EXAMINER FULLIN: Well, let's
14 get to it.

15 By Bishop Graham:

16 Q. I just want to know that Frontier needs
17 to get their business right. Believe me, they don't
18 have it right, okay?

19 Now, I am a -- I have a Church, okay?
20 And it's supposed to be tax exempt. They put it on
21 there for a little while, and take it off. And so I
22 called them and said why do you -- this is a Church,
23 why do you take my tax exempt off of me.

24 Well, can we get it back on there? But
25 it never goes back on there. So, you know, certain

1 things that they supposed to do, and when you tell
2 them, they won't do it. So that's it, man.

3 ATTORNEY-EXAMINER FULLIN: Do you have
4 any other questions?

5 BISHOP GRAHAM: No, that's it.

6 ATTORNEY-EXAMINER FULLIN: Any followup
7 questions?

8 MS. NOBLE: No, sir.

9 ATTORNEY-EXAMINER FULLIN: I'm asking
10 her if she has followup to what you asked.

11 MS. NOBLE: No.

12 ATTORNEY-EXAMINER FULLIN: Does the
13 company have any further evidence to present?

14 MS. NOBLE: No further evidence. I
15 would just like to make a quick statement in closing.

16 ATTORNEY-EXAMINER FULLIN: Closing
17 argument? We'll have closing statements, and
18 Complainant gets to go first if you want to. It's
19 not required.

20 You can make a closing statement, and
21 you can really say anything that you want this time,
22 I'm not going to stop you.

23 But what would be helpful to me most
24 would be if you kind of summarize what it is that
25 your complaint's about and why you think that you

1 should win, what it is that you've shown me so that I
2 understand what you've shown me. Try to explain it
3 to me.

4 But again, you can say anything you
5 want. I'm going to let you talk, unless you go too
6 long, but that's not going to happen. So you can say
7 anything you want at this point.

8 Now, what you're saying now is not going
9 to be part of the evidence, but it is going to be
10 your closing statement. I'll rely on it if you help
11 me explain -- understand the case, that would be very
12 helpful, or anything else that you want to say at
13 this point.

14 And you get to go first, and when you're
15 done she'll get to have a chance, and you can get
16 started.

17 BISHOP GRAHAM: Okay. As I listened to
18 the lady as she was explaining it to me -- and I can
19 see why that it's going like it's going, okay?

20 Because they got one way they do it, and
21 I was understanding it another way, okay? But I
22 don't understand how they bill you. And I listened
23 to her when she said they go up -- when they feel
24 like they want to go up, they go up.

25 And it's just after if the government

1 goes up, they go up. Well, you could understand
2 that, that part. That's not hard to understand.

3 But when I make an arrangement about
4 this, and they did not tell me no different, you
5 know, on the price that I pay for the bill, they
6 didn't -- if they told me different, then I would
7 have known, you know. So I'm not together with them
8 on the bill.

9 And I can tell you this much, when I
10 would talk to people, they wouldn't talk right, you
11 know. There's a way to treat a customer. You don't
12 treat customers bad, because I didn't treat them bad,
13 you know.

14 And a lot of times you would call and
15 they put a foreigner on the line, and they start
16 talking that talk that you don't understand, and I
17 say hey, speak English, don't be doing this, you
18 know. And then they get mad and hang up on you.

19 So you got things there that I just
20 don't understand. And I listened to what she said,
21 and it may go like that, but some parts of it I just
22 don't understand, sir. I'm just going to be honest
23 and tell you the truth.

24 But it's always been if a bill is set --
25 I'm talking about telephone bills -- if it is set one

1 way, and if you use long distance stuff -- but that's
2 going to make your bill higher, we know that. But if
3 you don't have that -- and I don't understand how
4 come they went up like that on my bill.

5 I'm going to be honest and tell you the
6 truth, I just don't understand that. So I will leave
7 here not understanding that, because I really don't.
8 So that's it.

9 ATTORNEY-EXAMINER FULLIN: All right.
10 Thank you. Ms. Noble, you can give a closing
11 statement on behalf of Frontier.

12 MS. NOBLE: Thank you. First I want to
13 talk about the 2015 outage. The testimony is clear
14 that service was only out for a week.

15 There was a credit of \$110 provided to
16 this account. Even if the service charge should have
17 been a reverse for those months, service was under 30
18 days, the total credit was only 90 days, so he was
19 overpaid for the amount of credit that was provided.

20 The same story happened for the outage
21 in the summer of 2016. Service was out one day, the
22 account was credited \$25.

23 Bishop Graham testified that the
24 representative was courteous, helpful, kind. There
25 was some vague testimony that Bishop Graham thinks it

1 was the Frontier representative that cut the line.
2 He describes an knife as a kitchen knife.

3 These Frontier representatives have all
4 kinds of pocket tools. They are not bringing a
5 kitchen knife to a scene. It's most likely that
6 someone in the community tore the line; there's no
7 evidence otherwise.

8 The monthly bills, they do vary slightly
9 from month to month. Ms. Cole explained the basis
10 why. I know Bishop Graham is under the belief that
11 the bills keep going up and up and up, but actually
12 what the testimony revealed is the bills have stayed
13 the same or gone down slightly.

14 He showed Ms. Cole a bill from 2012.
15 That bill total was \$43.66. In Exhibit 1, the most
16 recent bill is February 2018, so seven years later
17 the bill was \$43.08.

18 As to the rudeness of Frontier
19 representatives, clearly it's not what the company
20 wants or expects from its representative, but clearly
21 there's no damage due to Bishop Graham for that
22 discourteousness. And that's all I have.

23 ATTORNEY-EXAMINER FULLIN: All right.
24 Thank you. Then we have had closing statements, so
25 normally that brings an end to the hearing. And I

1 guess that will be the case in this case also.

2 I guess I'll bring up the issue, does
3 either party have a wish to do briefs, or can I just
4 rely on the closing statements as the explanation of
5 your case?

6 BISHOP GRAHAM: I can't hear too good,
7 so I didn't understand you.

8 ATTORNEY-EXAMINER FULLIN: I'm asking
9 you, do you want to file a brief in the case that
10 would be -- would serve the same -- in my opinion it
11 would serve the same purpose as your closing
12 statement, to help me understand your case, or are
13 you satisfied that you've explained your case
14 sufficiently today and we'll just close the case at
15 this point? Which would you prefer?

16 BISHOP GRAHAM: Okay. Only thing I can
17 do, sir, is what I presented in the meeting, you
18 know, and what I already have presented.

19 ATTORNEY-EXAMINER FULLIN: What you
20 stated today. Okay. Unless there's a desire by
21 either --

22 MS. NOBLE: I'm in agreement.

23 ATTORNEY-EXAMINER FULLIN: I appreciate
24 that you both answered that way, and I'm going to
25 bring this case to close, and the hearing is

1 adjourned.

2 (Discussion off the record.)

3 ATTORNEY-EXAMINER FULLIN: Let's go back
4 on the record, and let's move -- have exhibits moved
5 into evidence.

6 MS. NOBLE: I'll move to admit Exhibit 1
7 into evidence.

8 ATTORNEY-EXAMINER FULLIN: Do you have
9 an objection to me taking this exhibit as evidence in
10 the case to be considered by the Commission as it
11 makes it's decision?

12 BISHOP GRAHAM: I don't think she have
13 all the information that I presented.

14 ATTORNEY-EXAMINER FULLIN: Well, this is
15 her Exhibit. So do you have an objection to --

16 BISHOP GRAHAM: No, I don't have an
17 objection to what she done. But I just wanted to
18 explain to the information that the lady -- Michele,
19 the information that she have, that's what I'm going
20 on.

21 ATTORNEY-EXAMINER FULLIN: Well, I'm
22 asking you if you have an objection to the Commission
23 making this part of the record in the case, which is
24 the exhibit that Ms. Cole presented today.

25 BISHOP GRAHAM: I want to find out, sir,

1 is that the same as --

2 ATTORNEY-EXAMINER FULLIN: Well, you got
3 a copy of it.

4 MS. NOBLE: I can clear that up a little
5 bit, sir. We attached all those bills to a request
6 for admission and asked Bishop Graham to admit that
7 those are true and accurate copies of his bills. So
8 it is -- he did receive this during the discovery
9 process.

10 ATTORNEY-EXAMINER FULLIN: Okay.

11 BISHOP GRAHAM: The bill that I'm
12 talking about will be in here.

13 MS. NOBLE: I'm Michele. I'm
14 Ms. Noble.

15 BISHOP GRAHAM: Michele, you know about
16 the -- because I called them out to you. I called
17 them out to you.

18 MS. NOBLE: Yeah. Bishop Graham, I sent
19 this packet to you previously.

20 BISHOP GRAHAM: Is that the same as me
21 and you talked about on here?

22 MS. NOBLE: I believe so.

23 BISHOP GRAHAM: That's what I need to
24 know. I need to know, is this the same as you and I
25 talked about, the bills that I presented?

1 MS. NOBLE: Bishop Graham, you're
2 pointing to a closed envelope.

3 BISHOP GRAHAM: Here you go. Is that
4 the same as this? This is what I brought --

5 MS. NOBLE: Bishop Graham is holding up
6 a piece of paper where he's written out bills and
7 amounts, and no, that's not what we're talking about.

8 BISHOP GRAHAM: This is what I want to
9 see.

10 ATTORNEY-EXAMINER FULLIN: Well, you
11 didn't introduce that as an exhibit.

12 BISHOP GRAHAM: This is my evidence.

13 ATTORNEY-EXAMINER FULLIN: I do know
14 what you're holding up, because it was discussed in
15 the settlement. I'm assuming it looks like the same
16 thing that was discussed during the --

17 BISHOP GRAHAM: That's right, you were
18 there.

19 ATTORNEY-EXAMINER FULLIN: -- during the
20 case conference call. But you never introduced it
21 today at hearing, so it's not part of the evidence in
22 the case.

23 BISHOP GRAHAM: Well --

24 ATTORNEY-EXAMINER FULLIN: I'm going to
25 go ahead and rule that this will be admitted into the

1 evidence at this time.

2 (EXHIBIT ADMITTED INTO EVIDENCE.)

3 BISHOP GRAHAM: All right. Go ahead.
4 If you want to move it, go ahead. But I put it in
5 the hands of the Lord.

6 ATTORNEY-EXAMINER FULLIN: Is there
7 anything else you need to have presented?

8 BISHOP GRAHAM: If you don't go on this,
9 I put it in the hands of the Lord.

10 ATTORNEY-EXAMINER FULLIN: You did not
11 introduce that when it was your turn to produce it.

12 BISHOP GRAHAM: Didn't give me a chance
13 to introduce it.

14 ATTORNEY-EXAMINER FULLIN: And before I
15 let you go off the stand, I reminded you that we went
16 upstairs and made copies of things, and if you wanted
17 to present them, this was your last chance to do so,
18 and you did not present it.

19 BISHOP GRAHAM: All right.

20 ATTORNEY-EXAMINER FULLIN: So that's --

21 BISHOP GRAHAM: That's all right, sir,
22 you go ahead and do it like you want to.

23 ATTORNEY-EXAMINER FULLIN: You do recall
24 that before you closed your presentation I reminded
25 you that you might want to consider whether you

1 wanted to introduce anything that you had in front of
2 you, and you just chose not to. That's why --

3 BISHOP GRAHAM: But, you know, I --
4 you're right. But I was thinking that we had this
5 already in there. That's why I see said that
6 business.

7 ATTORNEY-EXAMINER FULLIN: -- when we
8 went upstairs to make copies, I told you that nothing
9 you presented before the hearing is part of the
10 record -- it's part of the record in the sense that
11 it was filed in the case, it's not part of the
12 evidence, so you would need to introduce it today at
13 the hearing.

14 BISHOP GRAHAM: How do you think I could
15 do that? If this wasn't part of what we were talking
16 about, how did you think I could do that, sir?

17 ATTORNEY-EXAMINER FULLIN: That's why I
18 reminded you before you were done presenting your
19 evidence.

20 BISHOP GRAHAM: But I was thinking it
21 was going to be in there.

22 ATTORNEY-EXAMINER FULLIN: Okay, but it
23 wasn't. And I did explain it to you. So with
24 that --

25 BISHOP GRAHAM: If you don't put it in

1 there, it's all right, sir.

2 ATTORNEY-EXAMINER FULLIN: If you don't
3 put it in there -- it's not for me to present
4 evidence, it's for you to present it.

5 BISHOP GRAHAM: I presented it to
6 Frontier. I presented this to Frontier. She got it.
7 And then you didn't understand it then, because she
8 had to tell you, "I got the papers served and he did
9 send me a paper," okay? She admitted that I sent her
10 the paper.

11 ATTORNEY-EXAMINER FULLIN: Again, you're
12 talking about what was discussed during the case
13 status conference call. I was part of that call. I
14 do recall what you're talking about. It has nothing
15 to do with whether you presented anything today here
16 at the hearing.

17 BISHOP GRAHAM: Okay.

18 ATTORNEY-EXAMINER FULLIN: So with that,
19 I'm going to adjourn the hearing. We're closed.

20 (Thereupon, the hearing was
21 adjourned at 3:10 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the proceedings
taken by me in this matter on Monday, March 4, 2019,
and carefully compared with my original stenographic
notes.

Valerie J. Grubaugh
Valerie J. Grubaugh,
Court Reporter and Notary
Public in and for the State
of Ohio.

My commission expires August 11, 2021.



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

Summary: Transcript In the Matter of the Complaint of Johnnie Graham, Jr. vs. Frontier North, Inc., hearing held on March 4th, 2019. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Grubaugh, Valerie