

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
DONALD W. HESS,**

**CASE NO. 21-724-TP-CSS**

**COMPLAINANT,**

**v.**

**AT&T SERVICES, INC.,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on June 24, 2021

{¶ 1} Pursuant to R.C. 4927.21, the Commission has authority to consider written complaints filed against a telephone company by any person 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} Ohio Adm.Code 4901-9-01(B) directs, in part, that all complaints filed with the Commission are to be in writing and shall contain the name of the public utility complained against, a statement which clearly explains the facts which constitute the basis of the complaint, and a statement of the relief sought.

{¶ 3} On June 17, 2021, Donald W. Hess (Complainant) filed with the Commission a complaint which was docketed under the above-reflected case caption. Although the complaint, within its body, contains references to "AT&T," to "AT&T Long Distance," to "AT&T Wireless," and to "AT&T Corp.," the name of the person or entity against whom the complaint has been brought is not identified, but rather, is scratched out, in the caption of the complaint, as filed. Nowhere in the complaint, as filed, is any reference made to AT&T Services, Inc. The complaint consists of one page. As filed, the complaint also does not contain a statement which clearly explains the facts which constitute the basis of the complaint, and a statement of the relief sought. For these reasons, the complaint, as it is currently presented, does not comply with Ohio Adm.Code 4901-9-01(B).

{¶ 4} Accordingly, within 30 days of this Entry, Complainant shall file a more definite statement of his complaint. At a minimum, Complainant's more definite statement must clearly identify the name(s) of the telephone company or companies and/or the public utility or public utilities against whom the complaint is being brought. Additionally, at a minimum, Complainant's more definite statement must provide a clear and concise statement of the facts underlying the complaint, as well as a description of the public utility service-related issue(s) involved. The statement must explain, in detail, what specifically happened that gives rise to this complaint and should disclose which, if any, acts or omissions on the part of the telephone companies or public utilities complained against, serves as the basis for the complaint.

{¶ 5} Finally, Complainant's more definite statement should spell out the form of relief Complainant is seeking. Importantly, Complainant is advised that his failure to file timely a more definite statement complying with the directives set forth in this Entry may lead to dismissal of his complaint.

{¶ 6} AT&T Services, Inc., having already been named as a Respondent in this case, shall be permitted to answer the complaint, as currently filed, if it chooses to do so, but shall not be required to file an answer in this case unless and until it is specifically directed to do so by an entry, which shall, in any event, not be issued before Complainant's more definite statement, if any, is filed. Additionally, AT&T Services, Inc., having already been named as a Respondent in this case, may file a response to Complainant's more definite statement, if any, within 20 days after the statement is filed.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Complainant file, within 30 days of this Entry, a more definite statement of his complaint, as directed in this Entry. It is, further,

{¶ 9} ORDERED, That AT&T Services, Inc. may file an answer, if it chooses to do so, pursuant to the directives set forth in Paragraph 6; and may file a response to

Complainant's more definite statement, if any, within 20 days after the statement is filed. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Daniel E. Fullin

By: Daniel E. Fullin  
Attorney Examiner

SJP/mef

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**6/24/2021 11:06:07 AM**

**in**

**Case No(s). 21-0724-TP-CSS**

Summary: Attorney Examiner Entry ordering complainant to file, within 30 days of this Entry, a more definite statement of his complaint and AT&T Services Inc. to answer as directed herein electronically filed by Ms. Mary E Fischer on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio