

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Peter O.
Akinyele,

Complainant,

v.

Ameritech Ohio,

Respondent.

Case No. 01-2206-TP-CSS

ENTRY

The Commission finds:

- (1) On August 27, 2001, Peter O. Akinyele (Mr. Akinyele or Complainant) filed a complaint against Ameritech Ohio (Ameritech or Respondent). Complainant states that "around September 2000 Ameritech sent some . . . telephone machine equipment to me." Complainant alleges that he returned the equipment, that Ameritech confirms this, and that Ameritech is still billing him for the equipment despite his repeated complaints. Mr. Akinyele adds that he has continued to pay his telephone bill "minus the equipment amount" and that Ameritech has continued to "embarrass" him. He closes the complaint by requesting that Ameritech "[take] the amount of the equipment away from my bill."
- (2) On September 17, 2001, Ameritech filed its answer. Ameritech admits that it provides residential telephone service to Complainant and that Complainant "ordered and later returned deregulated telephone equipment" to Ameritech. Ameritech further admits that "Complainant's bill continued to reflect a partial amount of the charges billed for said equipment after it had been returned." Finally, Ameritech states that its billing of Mr. Akinyele was in error and that a billing adjustment was made on August 29, 2001, to clear Complainant's account of any charges related to the returned equipment. Ameritech asserts that the billing adjustment has satisfied Mr. Akinyele's complaint.
- (3) In addition, Ameritech's answer denies all other allegations made by Mr. Akinyele, states that Ameritech's service and practices have been in full accordance with applicable law, and concludes that Complainant has failed to state reasonable

~~This is to certify that the images appearing are an~~
~~accurate and complete reproduction of a page file~~
~~document delivered in the regular course of business~~
Technician Amr Date Processed 12/6/01

grounds for proceeding to hearing under Section 4905.26, Revised Code.

- (4) Included with Ameritech's answer is a letter stating that, pursuant to a Commission rule, Complainant has 20 days to file a written response agreeing or disagreeing with Ameritech's assertion that the complaint has been satisfied. The letter adds that if Complainant files no response within 20 days the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint.
- (5) Mr. Akinyele did not respond to Ameritech's September 17, 2001, assertion within the required 20-day period. Complainant also did not respond to the attorney examiner's telephone message on November 9, 2001.
- (6) Therefore, pursuant to Rule 4901-9-01, Ohio Administrative Code, the Commission presumes that satisfaction or settlement has occurred, and that this matter should be dismissed and closed of record.

It is, therefore,

ORDERED, That the complaint filed by Mr. Akinyele is dismissed and the case closed of record. It is, further,

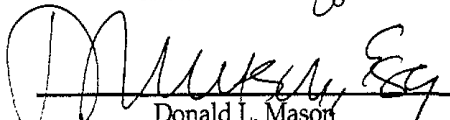
ORDERED, That a copy of this entry be served upon Mr. Peter O. Akinyele, Ameritech and its counsel, and all interested parties of record.

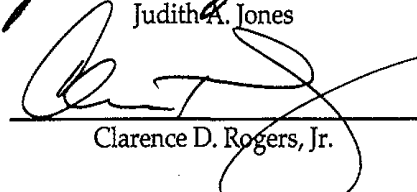
THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Ronda Hartman Fergus


Judith A. Jones


Donald L. Mason

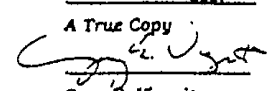

Clarence D. Rogers, Jr.

JML/vrm

Entered in the Journal

DEC - 6 2001

A True Copy


Gary E. Vigorito
Secretary