



4. Ameritech denies all allegations of the complaint documents filed by Mr. Robinson not specifically admitted to be true, and affirmatively states that it has always acted lawfully and reasonably.

SECOND DEFENSE

5. Further answering, Ameritech states that any claims by Mr. Robinson for refunds during the past seven years are barred by the application of res judicata and collateral estoppel because his two prior complaints to the Commission seeking refund relief were dismissed by the Commission with prejudice.

THIRD DEFENSE

6. Further answering, Ameritech states that Mr. Robinson's complaint fails to state reasonable grounds for proceeding thereon as required by the provisions of Ohio Rev. Code Section 4905.26.

FOURTH DEFENSE

7. Further answering, Ameritech states that Mr. Robinson has failed to make payments or otherwise comply with Ameritech's tariffs and Ameritech's lawfully constituted billing practices and therefore he is responsible for the service problems of which he complains.

FIFTH DEFENSE

Further answering, Ameritech states that Mr. Robinson, through his conduct aside from nonpayment, has contributed to the monetary damage of which he complains.

SIXTH DEFENSE

9. Further answering, Ameritech states that Mr. Robinson is not the real party in interest in the subject matter of this Complaint because he is not the subscriber of record.

WHEREFORE, having fully answered, Ameritech prays that this Complaint be dismissed.

Respectfully submitted,

AMERITECH OHIO

BY: Charles S. Rawlings JSK  
CHARLES S. RAWLINGS  
ITS ATTORNEY  
75 PUBLIC SQUARE, SUITE 1320  
CLEVELAND, OHIO 44113  
(216) 241-7255

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon Mr. Tom Robinson, 2216 43rd Street N.E., Canton, Ohio 44709, by depositing that copy in the United States mail, postage prepaid, this 10th day of October, 1995.

Charles S. Rawlings JSK