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DOCKETING DIVISION
PUBLIC UTILITIES COMMISSION OF OHIO

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

MAPLE LEE FLOWERS, INC.,)
Complainant,) Case No. 95-816-TP-CSS
vs.)
AMERITECH OHIO,)
Respondent.)

ANSWER OF AMERITECH OHIO

Now comes Respondent, Ameritech Ohio, as ordered by the Entry of the Attorney Examiner dated October 25, 1995, and for its Answer states as follows:

FIRST DEFENSE

1. In response to the unnumbered paragraphs of the "Introduction" section of the Complaint Respondent admits that Complainant is a customer of Respondent; that Complainant's telephone number is (614) 885-5350; that Complainant is a customer of Communications Buying Group ("CBG"); that CBG is a reseller of telecommunications services; that Respondent's listing does not appear in the 1995-96 issue of the Columbus and Vicinity White Pages Directory and that Respondent did receive a trouble report from the customer on October 15, 1994, to which it responded in a workmanlike manner. All remaining allegations of the unnumbered paragraphs of the first section of the Complaint are denied or denied for want of knowledge sufficient to form a belief.

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Technician Ann M. Nix Date Processed Nov. 10, 1995

2. In response to the "Inadequate Service Issue" section of the Complaint, Respondent avers that the cited statutes and Commission regulations speak for themselves, that Respondent's legal duties are prescribed by statute and this Commission; and that it has not failed ;to provide legally adequate service. All the remaining allegations of the complaint, not expressly admitted, are denied or denied for want of knowledge sufficient to form a belief and Respondent specifically denies that any act or omission on its part constitutes legally inadequate telephone service as required by Ohio Rev. Code Title 49.

SECOND DEFENSE

3. Respondent avers that to the extent the within Complaint seeks relief in the form of money damages the requested relief is beyond the jurisdiction of this Honorable Commission.

THIRD DEFENSE

4. Respondent avers that it has breached no legal duty owing Complainant and that its service at all relevant times has been in full accordance with all applicable provisions of law and accepted standards within the telephone industry.

FOURTH DEFENSE

5. Respondent avers that the within Complaint fails to state reasonable grounds for a proceeding thereon as required by Ohio Rev. Code §4905.26 and fails to state a claim upon which relief may be granted.

FIFTH DEFENSE

6. Respondent avers that to the extent Respondent is liable to Complainant such liability is limited as provided in Respondent's Network and Exchange Services Tariff, P.U.C.O. No. 1, Sect. 2, 1st Revised Sheet No. 36.

SIXTH DEFENSE

7. Respondent avers that its failure to settle or compromise this matter to Complainant's satisfaction is not grounds for a finding of legally inadequate utility service.

WHEREFORE, having fully answered and set forth its defenses, Respondent respectfully requests that the within complaint be dismissed.

Respectfully submitted,

AMERITECH OHIO

By William H. Hunt / JFH
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CERTIFICATE OF SERVICE

A copy of the foregoing Answer of Ameritech Ohio, Respondent herein, has been served upon Richard D. Bringardner, Attorney for Complainant herein, 115 West Main Street, Suite 100, Columbus, Ohio 43215-5043, by regular U.S. mail, postage prepaid, this 9th day of November, 1995.

William H. Hunt, JPA

William H. Hunt