

File

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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

WeShare Trustees, )  
 )  
Complainants )  
 )  
v. )  
 )  
Ameritech Ohio,<sup>1</sup> )  
 )  
Respondent. )

Case No. 96-770-TP-CSS

RECEIVED  
AUG 29 1996  
DOCKETING DIVISION  
Public Utilities Commission of Ohio

ANSWER OF AMERITECH OHIO

Ameritech Ohio, for its Answer to the Complaint filed against it, states as follows:

FIRST DEFENSE

1. Ameritech Ohio denies the allegations contained in the complaint except those allegations expressly admitted herein. Ameritech Ohio further denies that it has violated its tariff or any statute, rule or regulation in connection with any service or rates charged to any of the entities named in the complaint.

SECOND DEFENSE

2. Further answering, Ameritech Ohio asserts that none of the Complainants is a proper party to the complaint and none have standing, interest or right to bring the complaint. Moreover, none of the Complainants is an attorney licensed to practice law in Ohio and cannot bring this action on behalf of

<sup>1</sup>The complaint was filed against "The Ohio Bell Telephone Company" which is also known as Ameritech Ohio.

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WeShare, Inc. or the WeShare, Inc. trustees named in the complaint.

THIRD DEFENSE

3. Further answering, Ameritech Ohio says that the Commission lacks jurisdiction to order billing refunds or to award any other form of damages to Complainants or WeShare, Inc.

FOURTH DEFENSE

4. Further answering, Ameritech Ohio says that it has breached no legal duty owing Complainants or WeShare, Inc. and that its service and practices at all relevant times have been in full accordance with all applicable provisions of law and accepted standards within the telephone industry. Moreover, WeShare, Inc., a not-for-profit business, is not a residence customer, nor is it entitled to residence rates for local service.

FIFTH DEFENSE

5. Further answering, Ameritech Ohio says that the complaint fails to state reasonable grounds for proceeding to hearing as required by the provisions of Ohio Revised Code Section 4905.26.

SIXTH DEFENSE

6. Further answering, Complainants and WeShare, Inc. are legally barred from raising claims relating to the disconnection of WeShare, Inc.'s local service in 1995 for nonpayment of amounts properly owed.

WHEREFORE, having fully answered, Respondent Ameritech Ohio respectfully prays that the complaint be dismissed.

Respectfully submitted,

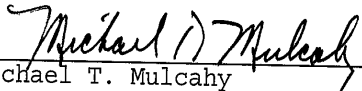
AMERITECH OHIO

By: Michael T. Mulcahy  
Michael T. Mulcahy

45 Erieview Plaza, Room 1400  
Cleveland, OH 44114  
(216) 822-3437  
Its Attorney

CERTIFICATE OF SERVICE

A copy of the foregoing Answer of Ameritech Ohio has been served on Robert P. Woodman, Carl N. Woodman and Thomas Warholic, 3202 Lorain Avenue, Cleveland, OH 44107 by regular U.S. mail, postage prepaid, this 29<sup>th</sup> day of August, 1996.

  
Michael T. Mulcahy