

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

Robert P. Woodman,)
)
 Complainant,)
)
 v.) Case No. 96-996-TP-CSS
)
 Ameritech Ohio,)
)
 Respondent.)

ENTRY

The Commission finds:

- (1) On September 16, 1996, Robert P. Woodman filed a complaint in this case against Ameritech Ohio (Ameritech)¹ purportedly "for the purpose of giving public notice to the Commission" that, as alleged in the complaint, Ameritech "is and has been" illegally charging and billing the Ohio Department Administrative Services (DAS) unjust and unreasonable charges for local exchange telephone services which Ameritech provides to Ohio state governmental units (as listed in the complaint) pursuant to a contract between Ameritech and DAS. The complaint contains a number of further allegations which are designed to support the major premise of the complaint, that Ameritech is and has for an extended period of time been engaged in an illegal practice of charging DAS unjust and unreasonable rates.

In stating the form of relief being sought, the complaint indicates that Mr. Woodman "demands that the Commission review the evidence, and make a finding" that Ameritech does, as set forth in the complaint, unlawfully, unjustly, unreasonably, and in a discriminatory manner, charge and bill DAS for local service. The complainant asks the Commission to, upon making such a finding, "effect the justice he seeks by penalizing ... [Ameritech] for its violations of law or orders of the Commission ... and by referring to the Ohio Attorney General

¹ Ameritech Ohio is also known as The Ohio Bell Telephone Company.

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those matters for which ... [Ameritech] should be prosecuted to the fullest extent of the law."

- (2) On September 6, 1996, the attorney examiner issued an entry which found that this case presents an issue, namely whether Mr. Woodman has standing to bring this complaint, which must be resolved before the case could proceed. The entry directed Mr. Woodman to file, on or before October 3, 1996, verified information indicating whether and, if so, how he holds the requisite legal authority, either as Ohio licensed attorney or otherwise, to represent before this Commission in this case, the legal interests of DAS, or any other unit of state government listed in the complaint. The entry specified that if, in fact, Mr. Woodman is not an Ohio-licensed attorney, the verified information submitted should be in the form of a non-attorney representation request which would meet the requirements of Rule 4901-1-08(B), Ohio Administrative Code (O.A.C.), signed by a duly authorized representative of DAS and/or any state governmental unit on whose behalf the complaint has been brought.
- (3) Mr. Woodman has failed to file a timely response to the September 27, 1996 entry.
- (4) Mr. Woodman has not shown or even alleged that he has any personal interest at stake in the alleged cause of action presented in his complaint. He has not shown or even alleged that the party complained against, Ameritech, has breached any legal duty owing to Mr. Woodman individually. Rather, it appears that DAS should be considered to be the real party of interest, if any, in the alleged cause of action set forth in Mr. Woodman's complaint. However, Mr. Woodman has also failed to show that he holds the requisite legal authority to represent the interests of DAS in this case.
- (5) This complaint case should be dismissed, and closed of record, forthwith, because the person who has brought the complaint, Mr. Woodman, has failed to establish that he has any personal interest at stake in the alleged cause of action presented and, further, because he has also failed to show that he has the

requisite legal authority to represent any other person or entity on whose behalf the complaint may arguably have been brought.

- (6) This marks the fourteenth time since September 1996 that the Commission has, for the same reason in each case, found it necessary to dismiss a case brought by Mr. Woodman. In the prior thirteen instances, the cases which were dismissed had been brought not, as here, by Mr. Woodman alone, but by the trustees of WeShare, Inc., namely, Robert P. Woodman, Carl N. Woodman, and Thomas Warholic. Again for the same reason, by entry issued September 26, 1996, the Commission also dismissed 43 cases brought by Mr. James P. Woodman.

Robert P. Woodman, Carl N. Woodman, Thomas Warholic, and James P. Woodman are hereby put on notice that, in the future, any complaint case brought before the Commission by any of them, either collectively or individually, will be subject to summary dismissal unless it either sets forth a cause of action in which their individual or collective personal interests are alleged to be at stake, or, if brought on behalf of another person or entity, contains verification of their individual or collective authority to legally represent the real party of interest in the cause of action alleged.

- (7) Section 4903.24, Revised Code, authorizes the Commission to impose the costs of any hearing or investigation upon any party. While the Commission has not yet determined that assignment of costs shall be made in this proceeding, Commission employees are instructed to determine their costs incurred thus far and to record any additional costs and to report such costs promptly to the Commission.

It is, therefore,

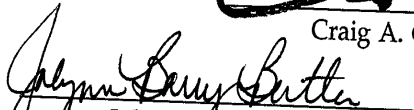
ORDERED, That this case is hereby dismissed, and closed of record, in accordance with the above findings. It is, further,

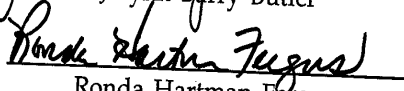
ORDERED, That Finding (6) above, be observed. It is, further,

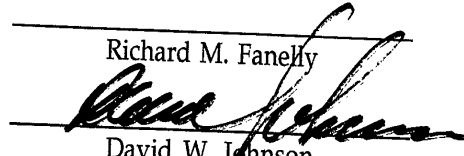
ORDERED, That a copy of this entry be served upon the trustees of Robert P. Woodman, Carl N. Woodman, Thomas Warholic, James P. Woodman, and upon all interested persons of record in this case.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Craig A. Glazer, Chairman


Jolynn Barry Butler


Ronda Hartman Fergus


Richard M. Fanelly

David W. Johnson

DEF:geb

Entered in the Journal

OCT 17 1996

A True Copy


Gary E. Vigor
Secretary

SERVICE NOTICE

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CASE NUMBER 96-996-TP-CSS
CASE DESCRIPTION ROBERT WOODMAN/AMERITECH OHIO
DOCUMENT SIGNED ON October 17, 1996
DATE OF SERVICE Oct. 18, 1996

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

ROBERT P. WOODMAN
WE SHARE, INC. C/O TRUSTEES
17920 DETROIT AVE. #506
LAKEWOOD, OH 44107

NONE

INTERVENOR

AT&T COMMUNICATIONS OF OHIO, INC.
65 EAST STATE STREET
SUITE 1500
COLUMBUS, OH 43215

BENITA A. KAHN
VORYS, SATER, SEYMOUR AND PEASE
52 E. GAY STREET
P.O. BOX 1008
COLUMBUS, OH 43216

RESPONDENT

AMERITECH OHIO
JON F. KELLY
150 E. GAY STREET ROOM 4-C
COLUMBUS, OH 43215

NONE