



OHIO LAUNDRY

RECEIVED-DOCKETING DIV
MAY 16 PM 12:00
PUCO

May 11, 2005

The Public Utilities Commission Of Ohio
Attn: Formal Complaint Division-Telecom
180 E. Broad St.
Columbus Ohio 43215-3793

Dear Sirs,

05-521-TP-CSS

I am in receipt of COI's response to my prior complaint concerning our company's non-refund, being charged the wrong amount of tax, and charged an unauthorized surcharge. I am somewhat dumbfounded as to their response. I offer the following for your review and consideration:

1. I, at no time, in my complaint, represented myself as an attorney. It is my understanding the Public Utility Commission's existence is to protect the consumers and that the public and customers, such as our company, have the right to file a complaint when a utility company cheats them or breaks the rules.
2. If necessary, our company will be represented by legal council at such time it is necessary.
3. COI's response does not address any of the issues within the complaint.
4. My complaint is strait forward and factual. I have all of the necessary paperwork to submit and prove my complaint.
4. In my opinion, and in contrast to COI's response, COI should be responsible for any and all attorney costs associated with our company's complaint. This seems to be an instance whereby a utility company's intention is to dodge the issues and attempt to create their own rules, that don't exist, in an effort to block the Commission's purpose of existence as well as an attempt to strong arm the consumer.

I'm sure that upon review of COI's response by the Commission, you will agree that their response is insulting, inaccurate, and evasive in nature. I hope that you will proceed with the process and notify me when my complaint will be scheduled for a meeting so that I can bring all necessary proof to the Commission and have the issues addressed and resolved. Also, please inform me if legal representation is necessary so that I can make proper arrangements. I thank you for your assistance in this matter.

P.O. Box 091105 ■ 1303 ALUM CREEK DRIVE ■ COLUMBUS, OH 43209
614-258-5147 ■ 1-800-466-1262 ■ FAX: 614-258-5476
www.superlaundry.com

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Date Processed 5-16-05
Technician

Sincerely,

Diane Wright

Diane Wright



OHIO LAUNDRY

April 15, 2005

Public Utilities Commission of Ohio
Formal Complaint Division-Telecom
180 E. Broad St.
Columbus Ohio 43215-3793

RECEIVED-DOCKETING DIV
2005 MAY 16 PM 12:00
PUCO

Dear Sirs,

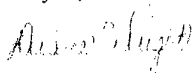
I have previously made two complaints with the PUCO, with complaint ID 18495 and 18471 (enclosed), against COI for the following:

1. We have a \$394. 19 credit balance that they said would take 60-180 days to process
Filed complaint #18495
2. They charged 7% sales tax, while we're in a 6.75% district. (Complaint #18471)
3. They charged a 1% utility surcharge that was not Tariffed. (Complaint # 18471)

I received a response on 4-14-05, from Ruth Griggs, citing COI refused to reply and that there was pending litigation. To my knowledge, there is no pending litigation with our company. We have been a good customer, paid our bills every month, and find it unacceptable that we should have to wait 60-180 days for our refund on money that we overpaid. Additionally, I am the controller and charge the appropriate amount of tax for all of our customers. I can't believe a telephone company charges the wrong tax and also charges things that they are not authorized to charge.

Please accept this notice as an escalation of my previous complaints to a Formal Complaint Status. I have enclosed copies of my previous complaints. I think it is the PUCO's responsibility to make sure that customers are not overcharged and that they get their appropriate refund in a timely manner. I look forward to hearing from you on this matter.

Thank you,


Diane Wright

FILE

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RECEIVED-DOCKETING DIV

BEFORE 2005 MAY 16 PM 12:00

THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

RECEIVED-DOCKETING DIV

2005 MAY -9 PM 4:41

PUCO

SUPER LAUNDRY d.b.a.,
OHIO LAUNDRY.

Complainant,

CASE NO. 05-521-TP-CSS

v.

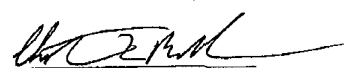
COMMUNICATION OPTIONS INC.,

Respondent.

**RESPONDENT COMMUNICATION OPTIONS INC.'S
MOTION TO DISMISS**

NOW COMES RESPONDENT COMMUNICATION OPTIONS INC., by and through counsel, and moves this Commission for an ruling dismissing Complainant's complaint. In so moving respondent Communication Options submits that good cause exists to grant the relief requested, in that Complainant is appearing before the Commission without an attorney, as required by Ohio Adm. Code 4901-1-8(A). Facts supporting this motion are set forth more particularly in the accompanying memorandum.

Respectfully submitted,


Gregory J. Dunn (0007353)
Christopher L. Miller (0063259)
Brian M. Zets (0066544)
SCHOTTENSTEIN, ZOX & DUNN
A Legal Professional Association
250 West Street
P.O. Box 165020
Columbus, Ohio 43216
(614) 462-2700
Attorneys for Respondent Communication
Options Inc.

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technician MD Date Processed 5/19/05

MEMORANDUM

On April 18, 2005, complainant Super Laundry d.b.a. Ohio Laundry ("Ohio Laundry") filed the instant formal complaint. The complaint is actually a letter dated April 15, 2005 and signed by Diane Wright. According to the letter, Ms. Wright is the controller for Ohio Laundry, not an attorney. Although not specifically stated, the complaint appears to allege respondent Communication Options Inc. ("COI") has not yet refunded Ohio Laundry's credit balance. The complaint also alleges that respondent Communication Options ("COI") charged Ohio Laundry the wrong amount of tax. And finally, the complaint alleges COI improperly charged Ohio Laundry a utility surcharge that was not tariffed.

Ohio Adm. Code 4901-1-8 governs a party's practice before the Commission, including the representation of corporations. Ohio Adm. Code 4901-1-8(A) states

Except as otherwise provided in section 4901.14 of the Revised Code and paragraphs (B), (C), and (D), of this rule, each party not appearing *in propria persona* shall be represented by an attorney-at-law authorized to practice before the courts of this state. Corporations must be represented by an attorney-at-law.

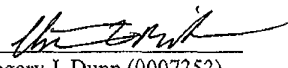
Here, by signing and filing the instant formal complaint, Diane Wright is representing Ohio Laundry. Ms. Wright, however, is not an attorney-at-law. By her own admission she is the corporation's controller.¹ By appearing without an attorney-at-law, Ohio Laundry's formal complaint violates the clear and straightforward language of Ohio Adm. Code 4901-1-8. By signing the formal complaint on behalf of Ohio Laundry, Ms. Wright's actions also may violate the Ohio Supreme Court's rules governing the unauthorized practice of law. The instant

¹ Before filing this motion, COI checked the Ohio Supreme Court's website to make certain Diane Wright is not licensed to practice law in the State of Ohio. She is not.

complaint serves no purpose other than to merely harass and injure COI.² Despite fatal defects in Ohio Laundry's formal complaint, COI was forced to waste its limited resources by filing an answer and motion to dismiss. The Commission can not tolerate such conduct. Ohio Laundry's complaint must be dismissed. And, COI must be awarded its reasonable attorney fees incurred to defend this action.

FOR THE FOREGOING REASONS, respondent Communication Options, Inc. respectfully requests the Commissions dismiss Complainant's complaint with prejudice as frivolous, award respondent Communication Options, Inc. reasonable attorney fees, assess costs to Complainant, and order any other relief deemed necessary and proper by this Commission.

Respectfully submitted,



Gregory J. Dunn (0007353)
Christopher L. Miller (0063259)
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A Legal Professional Association
250 West Street
P.O. Box 165020
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(614) 462-2700
*Attorneys for Respondent Communication
Options Inc.*

² If this matter proceeds, discovery will be conducted to demonstrate this complaint was filed in retaliation to COI's complaint (04-658-TP-CSS), which outlines the deceptive practices of ValTech Communications, its agents, and owners, including Thomas Duckworth, who was and based upon knowledge and belief may still be President (or General Manager) of Super Laundry Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Answer of Respondent Communication Options Inc.'s Motion to Dismiss*, was sent via regular United States Mail, postage prepaid, this the 9th day of May 2005 to.

Ohio Laundry
c/o Diane Wright
1303 Alum Creek Drive
P.O. Box 091105
Columbus, Ohio 43209



Christopher L. Miller