

**ARMSTRONG UTILITIES, INC., APPELLANT, v. WALDON MANAGEMENT
CORPORATION ET AL., APPELLEES.**

[Cite as *Armstrong Util., Inc. v. Waldon Mgt. Corp.*, 1994-Ohio-85.]

*Public utilities—Cable television system is a communications business under R.C.
4931.11.*

(No. 93-2354—Submitted September 14, 1994—Decided October 19, 1994.)

APPEAL from the Court of Appeals for Mahoning County, No. 92 C.A. 168.

*Cohen & Grigsby, P.C., Henry C. Cohen, Robert W. Doty and Laura A.
Meaden; Comstock Springer & Wilson and David C. Comstock, for appellant.
Johnson & Johnson and Eric C. Johnson, for appellees.*

{¶ 1} The judgment of the court of appeals is vacated and the cause is remanded by the trial court for further proceedings consistent with *Cablevision of the Midwest, Inc. v. Gross* (1994), 70 Ohio St.3d 541, 639 N.E.2d 1154, decided today.

MOYER, C.J., A.W. SWEENEY, DOUGLAS, WRIGHT, RESNICK and F.E. SWEENEY, JJ., concur.

PFEIFER, J., dissents.
