

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV  
2006 DEC -7 AM 11:32

PUCO

LYDIA L. PATTERSON

Complainant

v.

THE EAST OHIO GAS COMPANY D/B/A  
DOMINION EAST OHIO,

Respondent

Case No. 06-1403-GA-CSS

PUCO

2006 DEC -7 AM 11:33

RECEIVED-DOCKETING DIV

MOTION TO DISMISS

Now comes Respondent, The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO"), in accordance with Rule 4901-1-12 of the Ohio Administrative Code moves to dismiss the matter in the above styled docket with prejudice for the reasons set forth in the attached Memorandum in Support.

Respectfully submitted,



Jean A. Demarr  
Attorney for Respondent  
The East Ohio Gas Company  
Dba Dominion East Ohio  
1201 East 55<sup>th</sup> Street Center  
P. O. Box 5759  
Cleveland, Ohio 44101  
Telephone: (216) 736-6334  
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Technician NJB Date Processed 12-7-06

FILE

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

RECEIVED-DOCKETING DIV

2006 DEC -7 AM 11:34

PUCO

LYDIA L. PATTERSON,

Complainant

v.

THE EAST OHIO GAS COMPANY D/B/A  
DOMINION EAST OHIO,

Respondent

Case No. 06-1403-GA-CSS

**MEMORANDUM IN SUPPORT OF MOTION TO DISMISS**

Respondent, The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO"), in accordance with Rule 4901-1-12 of the Ohio Administrative Code moves to dismiss the matter in the above captioned case with prejudice for the following reasons.

DEO states that the complainant is a PIP customer and was attempting to take advantage of the PIP Arrearage Credit Program, which is available to a customer when they pay their bill on time for a year.

DEO further states that the Complainant paid her bills on time, however, she was dropped from PIP on March 31, 2006, when she failed to reverify her income for the PIPP program. She once again qualified for PIP in August, 2006. Therefore, this customer would not qualify to participate in the Arrearage Credit Program until she paid her bill on time for 12 months starting August, 2006.

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DEO further states that as a "good will gesture" it has allowed the Complainant to participate in the Arrearage Credit program and credited the Complainant's account in the amount of \$1,089.17

Based on the foregoing, DEO respectfully requests that the Commission dismiss this Complaint with prejudice.

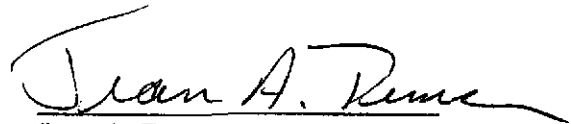
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jean A. Demarr", written over a horizontal line.

Jean A. Demarr  
Attorney for Respondent  
The East Ohio Gas Company  
Dba Dominion East Ohio  
1201 East 55<sup>th</sup> Street Center  
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Cleveland, Ohio 44101  
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## **CERTIFICATE OF SERVICE**

I hereby certified that a copy of the foregoing Motion to Dismiss and Memorandum in Support of Motion to Dismiss with prejudice was mailed this 6<sup>th</sup> day of December, 2006, to Lydia L. Patterson – 891 Babbitt Road - Euclid, Ohio 44123.

A handwritten signature in cursive script, reading "Jean A. Demarr". The signature is written in black ink and is positioned above the printed name and title.

Jean A. Demarr  
Attorney for Respondent  
The East Ohio Gas Company  
d/b/a Dominion East Ohio