FILE FirstEnergy.

76 South Main Street Akron Ohio 44308

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Mark A. Hayden Attorflay

Via Federal Express

February 19, 2007

Public Utilities Commission of Ohio

Ms. Renee J. Jenkins
Director, Administration Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

Dear Ms. Jenkins:

Re: Answer of Ohio Edison Company

Sharon Jones v. Ohio Edison Company

Case No. 07-88-EL-CSS

Enclosed for filing, please find the original and twelve (12) copies of the Answer of Ohio Edison Company regarding the above-referenced case. Please file the enclosed document, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions.

Very truly yours.

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Enclosures

## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

SHARON JONES	)	
COMPLAINANT,	)	
vs.	)	CASE NO. 07-88-EL-CSS
OHIO EDISON COMPANY	)	
RESPONDENT,	)	

## ANSWER OF OHIO EDISON COMPANY

Comes now Respondent, Ohio Edison Company ("Ohio Edison"), by counsel, and for its Answer to the Complaint filed in the instant action says that:

- 1. Ohio Edison is a public utility, as defined by §4905.03(A)(4), O R C and is duly organized and existing under the laws of the State of Ohio.
- 2. The Complaint consists of several numbered paragraphs and Ohio Edison will address each numbered paragraph separately
- 3. With respect to the first paragraph, Ohio Edison demes the allegations for lack of knowledge or information sufficient to form a belief as to the truth of the allegations.
- 4. With respect to the second paragraph, Ohio Edison admits that it is a public utility, as defined by §4905.03(A)(4), O.R.C., and is duly organized and existing under the laws of the State of Ohio; that it is a corporation doing business in the state of Ohio; and that it is a distribution company providing delivery of electric service.
- 5. With respect to the third paragraph, Ohio Edison admits that it has, at various times, provided electric utility service to premises located at 4072 St. Andrews Court #6, Canfield

Ohio; Ohio Edison further admits that such electric utility service is metered; Ohio Edison avers that it maintains an account in the Complainant's name, which account reflects charges incurred for the provision of electric utility service.

- 6. Ohio Edison denies the allegations contained in paragraph 4 of the Complaint.
- 7. With respect to the fifth paragraph, Ohio Edison admits that Complamant notified Ohio Edison on or about March 2006 of a suspected switched meter problem.
- 8. With respect to the sixth paragraph, Ohio Edison avers that on April 26, 2006 it conducted a switched meter investigation. Ohio Edison further avers that said investigation revealed that due to incorrectly marked sockets, Complainant's metering was switched with that of a nearby customer; Ohio Edison denies the remaining allegations within paragraph 6.
  - 9. Ohio Edison denies the allegations contained in paragraph 7 of the Complaint.
  - 10. Ohio Edison denies the allegations contained in paragraph 8 of the Complaint.
- With respect to the ninth paragraph, Ohio Edison avers that as a result of the switched meter, Complainant (Account No. 110015580126) was billed for incorrect electric usage, Ohio Edison denies the remaining allegations contained in the paragraph.
- With respect to the tenth paragraph, Ohio Edison admits that on or about July 8, 2006, it credited Complainant \$3,102.76 for the time period between June 2000 and May 2006.
- 13. Ohio Edison denies the allegations contained in paragraph 11 of the Complaint.
- 14. Ohio Edison generally denies all allegations set forth in the Complaint that were not otherwise specifically addressed hereinabove.

## For its affirmative defenses, Ohio Edison further avers that:

- 15. Ohio Edison breached no legal duty or obligation owed to Complainant, and Complainant failed to state reasonable grounds upon which its requested relief may be granted
- Ohio Edison has at all times acted in accordance with its Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio ("Commission"), as well as all rules and regulations as promulgated by the Commission, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.
- 17. Given the complaint made and based on the facts and circumstances in this case, the Commission lacks the power and jurisdiction to grant money damages sought by Complainant in paragraph 11 of the Complaint.

WHEREFORE, having fully answered the Complaint, Respondent, Ohio Edison Company, respectfully requests that the damages sought by Complainant be denied and that instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,

Mark A. Hayden (0081077)

Attorney

FirstEnergy Service Company

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Fax: 330-384-3875

On behalf of Ohio Edison Company

## CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer to the Complaint of Ohio Edison Company was served by regular U.S. Mail, postage prepaid, to Sharon Jones, 4072 St. Andrews Court, Canfield, Ohio 44406, this 19<sup>th</sup> day of February, 2007.

Mark A. Hayden

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Attorney