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FILE

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**FAX TRANSMISSION**

TO: PUCO Docketing

FAX NO.: 614 466-0313

FROM: Carol Dacoros

DATE: March 6, 2007

RE: Answer of The Cleveland Electric Illuminating Company  
Ohio Laff House v. The Cleveland Electric Illuminating Company  
PUCO Case No. 07-156-EL-CSS

PUCO

RECEIVED-DOCKETING DIV  
2007 MAR -6 PM 4:13**NO. OF PAGES, INCLUDING COVER SHEET: 5**

Attached is the Answer of The Cleveland Electric Illuminating regarding the above case. The original and the required number of copies will be sent via overnight mail for delivery tomorrow, March 7, 2007.

Please contact me if there are any questions. Thank you.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES MENTIONED ABOVE,  
PLEASE CALL DIANE AIKENS @ (330) 384-5211.**

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RECEIVED-DOCKETING DIV  
2007 MAR -6 PM 4:13  
PUCOBEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO

OHIO LAFF HOUSE )

COMPLAINANT, )

vs. )

THE CLEVELAND ELECTRIC )  
ILLUMINATING COMPANY )

RESPONDENT. )

CASE NO. 07-156-EL-CSS

FAX

ANSWER OF  
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

Comes now Respondent, The Cleveland Electric Illuminating Company, by counsel,  
and for its Answer to the Complaint filed in the instant action says that:

1. The Cleveland Electric Illuminating Company ("CEI") 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. CEI denies the allegations in paragraphs 1 through 16 for lack of knowledge or information sufficient to form a belief as to the truth of the allegations.

4. CEI avers that Account No. 110023456095 (the "6095 Account") was established on February 10, 1997, for electric service at 1012 Sumner Avenue, Cleveland, Ohio, in the name "Millennium Entertainment" under a social security number ending with 4406 (the 9 digits are not reprinted here for identity confidentiality concerns), and under Account Class NRES. CEI

5. CEI avers that Account No. 110024099373 (the "9373 Account") was established on October 2, 2002, for electric service at 24800 Euclid Avenue, Euclid, Ohio, in the name "Millennium Entertainment" with a DBA of "Laff House," under a social security number ending with 4406 (all 9 digits are identical to the social security number used to open the 6095 Account), and under Account Class NRES, CEI.

6. CEI avers that the 6095 Account was disconnected for nonpayment on October 30, 2003, with a balance due of \$4341.47.

7. CEI avers that because the account names, social security numbers and Account Class data matched, the balance due for the 6095 Account of \$4341.47 was properly transferred to the 9373 Account on October 27, 2006.

8. CEI avers that pursuant to its Tariff, PUCO No. 13, on file with the Public Utilities Commission of Ohio, Original Sheet No. 4, 1<sup>st</sup> Revised Page 5 of 24, "If the Customer fails to pay in full or portion of any final bill for service rendered by the Company at one location, and if the customer is receiving like service at a second Company location, then Company may transfer such unpaid balance of the final bill to the service account for such second location."

9. CEI avers that its transfer of the balance due under the 6095 Account to the 9373 Account was consistent with its Tariff, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry, and CEI denies that its rates, charges, practices, or services are unjust or unreasonable.

10. CEI generally denies all allegations set forth in the Complaint that were not otherwise specifically addressed hereinabove.

**For its affirmative defenses, the Company further avers that:**

11. CEI breached no legal duty owed to Complainant, and Complainant failed to *state reasonable grounds upon which its requested relief may be granted.*

12. CEI has at all times acted in accordance with its Tariff, PUCO No. 13, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry, and CEI denies that its rates, charges, practices, or services are unjust or unreasonable.

Respectfully submitted,



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On behalf of The Cleveland Electric  
Illuminating Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer of The Cleveland Electric Illuminating Company was served by regular U.S. Mail, postage prepaid, to Gary Cook, counsel for Ohio Laff House, 27801 Euclid Avenue, Suite 640, Euclid, OH 44132 this 6<sup>th</sup> day of March, 2007



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Carol L. Dacoros  
Attorney