

FILE

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

Mr. & Mrs. Gilberto Fonseca
9871 Wayne Rd.
Wayne, OH 43466,

Docket No. 01-2005-EL-CSS

Complainant

COMPLAINT ON SERVICE OR SAFETY

v.

Toledo Edison
300 Madison Avenue
Toledo, OH 43604,

James A. Hammer (0036751)
Julie A. Burton (0065094)
MITCHELL, STEARNS & HAMMER
112 East Oak Street
Bowling Green, OH 43402
Phone: (419) 352-1581
Fax: (419) 352-1933
Attorneys for Complainant

Defendant.

Complainants, by and through counsel, state and aver as follows:


1. Defendant is Toledo Edison, a public electric utility company located in the State of Ohio, whose address is 300 Madison Avenue, Toledo, OH 43604.
2. Complainant is a resident of Montgomery Township, Wood County, Ohio. Toledo Edison currently provides electric service to much of Montgomery Township. However, Toledo Edison has provided inadequate service to the area in question. During the period of 1999 and 2000, the following feeder outages occurred in the Village of Wayne:

| | | | |
|------------------|-----------|-------------|---|
| July 23, 1999 | 8:52 p.m. | 203 Minutes | Lightning |
| July 29, 1999 | 1:27 p.m. | 193 Minutes | Transformer fuse, only affected customers in 100 blocks of W. Main (odds) and W. South (evens). |
| October 13, 1999 | 2:37 p.m. | 503 Minutes | Lightning |
| January 24, 2000 | 2:45 p.m. | 68 Minutes | Primary conductor down (entire feeder) |
| July 14, 2000 | 5:33 p.m. | 95 Minutes | Wind (entire feeder) |

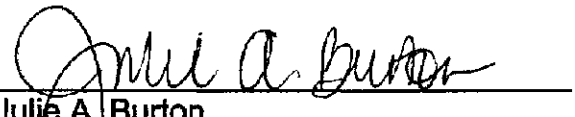
| | | | |
|-------------------|------------|-------------|---|
| August 6, 2000 | 2:18 a.m. | 169 Minutes | Lightning (entire feeder) |
| August 6, 2000 | 10:15 p.m. | 405 Minutes | Lightning - Replaced 5 spans of conductor, 3 arrestors and the fuse |
| December 11, 2000 | 10:48 p.m. | 102 Minutes | Wind - Broken Pole |

3. Additionally, Toledo Edison has inadequate capacitors and equipment in Montgomery Township that have not been updated for thirty to forty years. Many residences have been built in the area, adding to the already burdened equipment. There are also potential health concerns with the older transformers as PCB's potentially exist in said transformers.
4. Complainant, through counsel, initially contacted Toledo Edison by letter regarding the inadequate service and a desire to change electric providers to Hancock-Wood Electric Cooperative, Inc. on October 12, 2000. Pursuant to OAC 4901:1-10-21(B), each electric service company shall investigate customer/consumer complaints and PROVIDE A STATUS REPORT WITHIN THREE BUSINESS DAYS OF THE DATE OF RECEIPT OF THE COMPLAINT to the customer/consumer, when investigating a complaint made directly to the electric service company. Such status report was not provided to complainants or their attorney in the required time frame.
5. A Petition has been signed by a significant number of residents of Montgomery Township requesting that Hancock-Wood Electric Cooperative, Inc. provide electric service to their respective households. See attached Exhibit "A".

Wherefore, Complainant requests an order directing that Hancock-Wood Electric Cooperative, Inc. provide electric service to Complainant and terminating Toledo Edison's service to said Complainant's household. Complainant alternatively requests such other and/or further relief as may be provided for by law or regulation.



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Bowling Green, OH 43402
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FAX: 419-352-1933



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FAX: 419-352-1933

MITCHELL, STEARNS & HAMMER

ATTORNEYS AND COUNSELLORS AT LAW

112 EAST OAK STREET

BOWLING GREEN, OHIO 43402-2405

L. SNOWDEN MITCHELL
JODIE L. STEARNS
JAMES A. HAMMER

JULIE A. BURTON

OF COUNSEL:
PAMELA A. HERINGHAUS

TELEPHONE (419) 352-1581

FAX (419) 352-1933

WAYNE, OHIO OFFICE

6401 BAYS ROAD

WAYNE, OHIO 43466

PETITION

We, the undersigned residents, hereby petition Toledo Edison and The Hancock-Wood Electric Cooperative, Inc. for the purpose of requesting that The Hancock-Wood Electric Cooperative, Inc. provide electric service to our households, which service is presently being provided by Toledo Edison.

1. Signature(s) Leo J. Farabee
Printed name(s): LEO J. FARABEE
Date: 10-4-00

Address: Box 191 - 125 MAPLE
WAYNE OH. 43466
Telephone No: (419) 288-2702

2. Signature(s) Donald Lombard
Printed name(s): DONALD LOMBARD
Date: 10-4-00

Address: 9961 Wayne Rd
Wayne Ohio
Telephone No: 419-288-2583

3. Signature(s) Michael C Walker
Printed name(s): MIKE WALKER
Date: 10-4-00

Address: 164 Maple St.
WAYNE, OHIO
Telephone No: 419-288-3894

4. Signature(s) Norman Burns
Printed name(s): NORMAN BURNS
Date: 10-4-00

Address: 161 Maple St
Wayne Ohio 43466
Telephone No: 419-288-2027

5. Signature(s) Beatrice Sharp
Printed name(s): BEATRICE SHARP
Date: 10-4-2000

Address: 167 Maple St
Telephone No: 419-288-3705

6. Signature(s) RAM Loughlin
Printed name(s): RAM LOUGHLIN
Date: 10/4/00

Address: 154 Maple St.
Wayne OH 43466
Telephone No: 419-288-3864

7. Signature(s) Robert K Bore
Printed name(s): Robert K Bore
Date: 10/08/00

Address: 155 Maple Box 187
Wayne Ohio
Telephone No: 419-288-3281

8. Signature(s) John Pearce
Printed name(s): JOHN PEARCE
Date: 10-4-00

Address: 151 MAPLE
WAYNE, OH 43466
Telephone No: 288-2912

9. Signature(s) John E. Webel
Printed name(s): JOHN E. WEBEL
Date: 4 Oct 00

Address: 140 Maple
WAYNE
Telephone No: 288-2642

10. Signature(s) William E. Smith
Printed name(s): WILLIAM E. SMITH
Date: 10/4/00

Address: 131 W SOUTH ST.
Telephone No: 288 2050

11. Signature(s) Lisa Foster
 Printed name(s): Gary and Lisa Foster
 Date: 10/4/00
12. Signature(s) Robert Kehres
 Printed name(s): ROBERT KEHRES
 Date: 10-4-00
13. Signature(s) R. Grover
 Printed name(s): ROGER J. GROVER
 Date: 10/4/00
14. Signature(s) Ethel Hastings
 Printed name(s): Ethel Hastings
 Date: 10-4-00
15. Signature(s) BARNOT FUNERAL HOME
 Printed name(s): DOUGLAS BARNOT
 Date: 10-4-00
16. Signature(s) Franklin R. Steffen
 Printed name(s): FRANKLIN STEFFEN
 Date: 10/4/00
17. Signature(s) Kenneth L. Brooks
 Printed name(s): KENNETH L. BROOKS
 Date: 10/4/00
18. Signature(s) Richard D Edwards
 Printed name(s): RICHARD D EDWARDS
 Date: 10/4/00
19. Signature(s) Dennis A. Perkey
 Printed name(s): DENNIS A PERKEY
 Date: 10/4/00
20. Signature(s) Mrs. + Mr. Gilberto Fonseca
 Printed name(s): Mrs. + Mr. Gilberto Fonseca
 Date: 10-04-2000
21. Signature(s) Arthur G. Grover
 Printed name(s): ARTHUR G. GROVER
 Date: 10/24/00
22. Signature(s) Robert C. Strickland
 Printed name(s): Robert C. Strickland
 Date: 10-04-00
23. Signature(s) Thomas M. Champine
 Printed name(s): THOMAS M. CHAMPINE
 Date: 10-4-00
24. Signature(s) Linda M. Tyson
 Printed name(s): LINDA M. TYSON
 Date: 10-04-00

- Address: 109 Maple St.
Wayne, Ohio 43466
 Telephone No: 419-288-3944
- Address: 103 W. South
WAYNE, OHIO
 Telephone No: 419-288-3911
- Address: 9790 WAYNE Rd.
WAYNE, OH 43466
 Telephone No: 419-288-2650
- Address: 109 W South
WAYNE OHIO 43466
 Telephone No: (419) 288-3442
- Address: 121 WEST SOUTH
WAYNE, OH 43466
 Telephone No: 419 288-2857
- Address: 101 S. 16TH
 Telephone No: 288-3275
- Address: 206 S. CENTER ST. Box 281
 Telephone No: 288-2479
- Address: 137 MAPLE ST
WAYNE OHIO 43466
 Telephone No: 419-288-3623
- Address: 9913 S. WAYNE RD.
WAYNE-OHIO-43466-9781
 Telephone No: 419-288-3971
- Address: 9871 Wayne Rd.
Wayne OHIO 43466
 Telephone No: (419) 288-2266
- Address: 9773 WAYNE Rd.
WAYNE OH 43466
 Telephone No: 419-288-3345
- Address: 9051 Wayne Rd.
Wayne OH 43466
 Telephone No: 419-288-3413
- Address: 9480 WAYNE RD
WAYNE OHIO
 Telephone No: 288 3946
- Address: 119 LOCKHART ST.
WAYNE, OHIO 43466
 Telephone No: 288-3278

25. Signature(s) Shirley Engle
Printed name(s): Shirley Engle
Date: Oct. 4, 2000
26. Signature(s) Patticia Sievert
Printed name(s): Patticia Sievert
Date: 10-4-00
27. Signature(s) Marian Clontz
Printed name(s): Marian Clontz
Date: 10-4-00
28. Signature(s) Judy Johnson
Printed name(s): Judy Johnson
Date: 10-4-2000
29. Signature(s) Jessica Poor
Printed name(s): Jessica Poor
Date: 10-4-00
30. Signature(s) Charles H Barnot
Printed name(s): CHARLES H BARNOT
Date: 10-4-00
31. Signature(s) David C Barnot
Printed name(s): David C Barnot
Date: 10-4-00
32. Signature(s) Joe S. Clair
Printed name(s): Joe S. Clair
Date: 10-4-00
33. Signature(s) Brian Foster
Printed name(s): Brian Foster
Date: 10-4-00
34. Signature(s) Gertrude Baublitz
Printed name(s): GERTRUDE BAUBLITZ
Date: 10-4-00
35. Signature(s) Hubert Tolbert
Printed name(s): Hubert Tolbert
Date: 10/5/00
36. Signature(s) Ron Hummel
Printed name(s): Ron Hummel
Date: 10-5-00
7. Signature(s) Jane L Lewis
Printed name(s): Jane L Lewis
Date: 10/5/00
3. Signature(s) Deoris Steagall
Printed name(s): Deoris Steagall
Date: 10/5/00

- Address: 110 Lockhart St. NW
Telephone No: 419-288-2192
- Address: 147 LOCKHART
Wayne, OH
Telephone No: 419-288-1055
- Address: 8943 WAYNE RD
Wayne, OHIO
Telephone No: 419-288-3641
- Address: 144 Lockhart Ave
Wayne OH
Telephone No: 419-288-2209
- Address: 136 Maple St
Wayne OH
Telephone No: 419-288-3356
- Address: 145 Lockhart
WAYNE OHIO 43466
Telephone No: 419-288-3607
- Address: 125 W. South St.
WAYNE OHIO 43466
Telephone No: 419 288 3150
- Address: 117 W. South St.
Wayne, Ohio 43466
Telephone No: 419-288-2974
- Address: 105 W. South St.
Wayne OH 43466
Telephone No: 419 988-0015
- Address: 113 W. South St
Wayne Ohio
Telephone No: 419 288-2757
- Address: 117 Maple St
Telephone No: 419-288-2687
- Address: 126 Maple
Wayne OH
Telephone No: 43466 288-2129
- Address: 117 Lockhart Ave
Wayne OH 43466
Telephone No: (419) 288-2365
- Address: 113 Maple St.
Wayne, Ohio
Telephone No: 288-2209

39. Signature(s) Jason W. Smith
Printed name(s): JASON W. SMITH
Date: 10-6-00

40. Signature(s) Robert D. Ault
Printed name(s): ROBERT D. AULT
Date: 10-6-00

41. Signature(s) Mark E. Sidle
Printed name(s): MARK E. SIDLE
Date: 10-6-00

42. Signature(s) Michelle Schmitz
Printed name(s): MICHELLE SCHMITZ
Date: 10-6-00

43. Signature(s) Robert Carpenter
Printed name(s): ROBERT CARPENTER
Date: 10-6-2000

44. Signature(s) Merle Carpenter
Printed name(s): MERLE CARPENTER
Date: 10-6-2000

45. Signature(s) Bennett F. Deiter
Printed name(s): BENNETT F. DEITER
Date: 10/6/2000

46. Signature(s) Dennis W. Hickman
Printed name(s): DENNIS W. HICKMAN
Date: 10-7-2000

47. Signature(s) Shannon Hinton
Printed name(s): SHANNON HINTON
Date: 10-7-2000

48. Signature(s) Amy S. Adams
Printed name(s): AMY S. ADAMS
Date: 10-7-00

49. Signature(s) Cheri Wiseman
Printed name(s): CHERI WISEMAN
Date: 10-7-00

50. Signature(s) Patricia Richerick
Printed name(s): PATRICIA RICHERRICK
Date: 10-7-00

51. Signature(s) Janet Bateson
Printed name(s): JANET BATESON
Date: 10-7-00

52. Signature(s) David S. Kier
Printed name(s): DAVID S. KIER
Date: 10-7-00

Address: 9180 WAYNE RD.
WAYNE, OH 43466
Telephone No: 419-288-2886

Address: 9120 Wayne Rd.
Wayne, Ohio
Telephone No: 288-2341

Address: 9100 WAYNE RD
WAYNE OHIO 43466
Telephone No: 419-288-3078

Address: 8814 Wayne Rd
Wayne, OH 43466
Telephone No: 419.288.2521

Address: 7444 Wayne Rd
Wayne Ohio 43466
Telephone No: 419-288-2154

Address: 7970 WAYNE RD.
419-288-3123
Telephone No: _____

Address: 8825 Wayne Rd
Wayne Ohio 43466
Telephone No: 419-288-2561

Address: 130 Maple St.
Wayne Ohio 43466
Telephone No: 288-2875

Address: 9240 South Wayne Rd
Wayne Ohio 43466
Telephone No: 419-288-4047

Address: 9097 Wayne Rd
Wayne, OH 43466
Telephone No: 419-288-2081

Address: 9071 Wayne Rd
Wayne Ohio 43466
Telephone No: 288-0149

Address: 9050 Wayne Rd
Wayne, Ohio 43466
Telephone No: 419-288-3707

Address: 8742 WAYNE RD.
WAYNE, OHIO 43466
Telephone No: 419-288-2503

Address: 8301 WAYNE RD
WAYNE OHIO 43466
Telephone No: 419-288-2579

53. Signature(s) Kim Bowe & Mark Bowe
 Printed name(s): Kim Bowe Mark Bowe
 Date: 10-7-00
 Address: 8111 Wayne Rd
Wayne Oh. 43466
 Telephone No: 419-288-3534
54. Signature(s) Jerry Tyson
 Printed name(s): Jerry & Judy Tyson
 Date: 10-7-2000
 Address: 9049 Wayne Rd
Wayne OH 43466
 Telephone No: (419) 288-2625
55. Signature(s) William King
 Printed name(s): WILLIAM KING
 Date: October 07, 2000
 Address: 121 Maple St, P.O. Box 74
Wayne, OH 43466-0074
 Telephone No: 419 288 1033
56. Signature(s) Eloise Vosburg
 Printed name(s): Eloise Vosburg
 Date: Oct 7, 2000
 Address: 148 Maple St Box 315
Wayne Ohio
 Telephone No: 419-288-2096
57. Signature(s) R Bruce Reynolds
 Printed name(s): R Bruce Reynolds by ^{Robert K} Johnson POA
 Date: 10-7-00
 Address: 11665 Maple St
Wayne Oh 43466
 Telephone No: 419-288-2265
58. Signature(s) Johnny R Hill
 Printed name(s): Johnny H. H.
 Date: 10-7-00
 Address: 127 1/2 W. South St.
Wayne Oh 43466
 Telephone No: 419-288-2310
59. Signature(s) Matthew Morrow
 Printed name(s): MATTHEW MARGARET
 Date: 10-7-00
 Address: 7981 Wayne Rd.
Wayne Ohio 43466
 Telephone No: 419-288-8587
60. Signature(s) Jacqueline Hartman
 Printed name(s): Jacqueline A Hartman POA
 Date: 10-7-00
 Address: 8651
 Telephone No:
61. Signature(s) Lucas Frisch
 Printed name(s): Lucas Frisch
 Date: 10-7-00
 Address: 6953 Wayne Rd
Rising Sun OH 43467
 Telephone No: 288-8009
62. Signature(s) Jacques A Metcier
 Printed name(s): Jacques A Metcier
 Date: 10-7-00
 Address: 8050 Wayne Rd
OH 43466
 Telephone No: 419-288-6025
63. Signature(s) Vivian R. Williamson
 Printed name(s): Vivian R. Williamson
 Date: 10-7-00
 Address: 9275 Wayne Rd.
Wayne OH 43466
 Telephone No: 419-288-3561
64. Signature(s) Mark S. Searles
 Printed name(s): MARK S SEARLES
 Date: 10-7-00
 Address: 9907 WAYNE Rd.
Wayne OHIO 43466
 Telephone No:
65. Signature(s) Theresa Gonyea
 Printed name(s): Theresa Gonyea
 Date: 10-7-00
 Address: 146 Lockhart St.
Wayne, OH 43466
 Telephone No: 288-2306
66. Signature(s) Amanda Bateson
 Printed name(s): Amanda Bateson
 Date: 10/7/00
 Address: 8744 Wayne Rd.
Wayne OH 43466
 Telephone No: (419) 288-0137

67. Signature(s) [Signature]
Printed name(s): John E. Bateson
Date: 10-7-00
68. Signature(s) [Signature]
Printed name(s): JANES WERDER
Date: 10-7-00
69. Signature(s) [Signature]
Printed name(s): CHARYL MULLINS
Date: 10/8/00
70. Signature(s) [Signature]
Printed name(s): Chad T. Myerholtz
Date: 10-8-00
71. Signature(s) [Signature]
Printed name(s): SAM COMPTON
Date: 10-8-2000
72. Signature(s) [Signature]
Printed name(s): Kimberly J. Ault
Date: 10-8-2000
73. Signature(s) [Signature]
Printed name(s): D. Taylor Hurnaus
Date: 10-8-00
74. Signature(s) [Signature]
Printed name(s): Nichole L. Pausch
Date: 10-9-00
75. Signature(s) [Signature]
Printed name(s): Christopher Martin
Date: 10/9/00
76. Signature(s) [Signature]
Printed name(s): John Bengela
Date: 10-9-00
77. Signature(s) _____
Printed name(s): _____
Date: _____
78. Signature(s) _____
Printed name(s): _____
Date: _____
79. Signature(s) _____
Printed name(s): _____
Date: _____
80. Signature(s) _____
Printed name(s): _____
Date: _____

Address: 8750 Wayne Rd
Wayne, OH 43466
Telephone No: 419-288-3857

Address: 8722 WAYNE RD
WAYNE OH 43466
Telephone No: 419-288-2206

Address: 144 MAPLE ST
WAYNE OH
Telephone No: 419-288-2941

Address: 9221 Wayne Rd Wayne OH
43466
Telephone No: 419 288-8038

Address: 136 LOCKHART
43466
Telephone No: 288-0509

Address: 101 Maple, Wayne, OH
43466
Telephone No: 288-2593

Address: Box 314 / 9827 WAYNE, OH
43466
Telephone No: 419-288-2804

Address: 127 W. South St. Wayne
OH 43466 - P.O. Box 232
Telephone No: _____

Address: 151 1/2 maple st wayne
43466
Telephone No: 288-3020

Address: 143 Maple St. 43466
Telephone No: 288-3056

Address: _____
Telephone No: _____

Address: _____
Telephone No: _____

Address: _____
Telephone No: _____

Address: _____
Telephone No: _____

95. Signature(s) Robert P. Garner
Printed name(s): ROBERT P. GARNER
Date: 10-10-00

96. Signature(s) Beryl W. Stewart
Printed name(s): BERYL W. STEWART
Date: 10-11-2000

97. Signature(s) John D. Chamberlain
Printed name(s): JOHN D. CHAMBERLAIN
Date: 10-20-00

98. Signature(s) _____
Printed name(s): _____
Date: _____

99. Signature(s) _____
Printed name(s): _____
Date: _____

100. Signature(s) _____
Printed name(s): _____
Date: _____

Address: 112 LOCKHART AVE
Wayne OH 43466
Telephone No: 419-288-2275

Address: 133 Maple St
Wayne, OH 43466
Telephone No: 288-2989

Address: 126 W South
Wayne, Ohio
Telephone No: 288-2200

Address: _____
Telephone No: _____

Address: _____
Telephone No: _____

Address: _____
Telephone No: _____

95. Signature(s) Clara + John Shane
Printed name(s): CLARA + John SHANE
Date: Oct. 23, 2000
96. Signature(s) Frank E. Wessel
Printed name(s): Frank E. Wessel
Date: 10/23/00
77. Signature(s) Wayne R. Kinsley
Printed name(s): WAYNE R. KINSLEY
Date: 10/23/00
78. Signature(s) Beth Stearns
Printed name(s): Beth Stearns
Date: 10/23/00
79. Signature(s) Debra Lyons
Printed name(s): Debra Lyons
Date: 10/23/00
80. Signature(s) _____
Printed name(s): _____
Date: _____

Address: 132 W. South St
Wayne O. 43466
Telephone No: (419) 288-3045

Address: 136 W. South St
Wayne Ohio 43466
Telephone No: (419) 288-3551

Address: 129 W. Main St
Telephone No: 288-2189

Address: 137 W. Main St.
Wayne OH 43466
Telephone No: 288-2175

Address: 125 W. Main St.
Wayne, Ohio 43466
Telephone No: 288-2163

Address: _____
Telephone No: _____