

FILE

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of  
Mary Schaum,

Complainant,

v.

Ohio Edison Company,

Respondent.


Case No. 07-592-EL-CSS

ENTRY

The Attorney Examiner finds:

- (1) On May 14, 2007, Mary Schaum (complainant) filed a complaint with the Commission against Ohio Edison Company (OhioEd). In the complaint, Ms. Schaum states that she has a load meter and is charged by each month's peak load. Further, Ms. Schaum claims, among other things, that pursuant to an agreement reached as a result of the a complaint she previously filed with the Commission against OhioEd, her monthly meter reading is to be rounded back to the nearest half number. Ms. Schaum claims that beginning in December 2006, the meter reader rounded the meter reading up.<sup>1</sup> Further, the complainant contends that OhioEd replaced her dial meter with a digital meter and stopped rounding the readings down. Ms. Schaum requests that: (1) OhioEd re-install her dial meter or the company round her digital readings back to the last half number, and (2) each monthly bill since December 2006 be adjusted.
- (2) OhioEd filed its answer and a motion to dismiss the complaint on June 4, 2007. OhioEd admits that Ms. Schaum has a load meter and her monthly charges are based on the billing period's peak load. Further OhioEd avers that Ms. Schaum

<sup>1</sup> Ms. Schaum attached a note to her complaint which reads: Dr. Schaum, The load reading was very close to the eight but we will rebill you at 7.5. Additionally, a new digital meter will be installed so there will be no question as to the exact load reading. This will make it easier for you to track your readings. Thank you, Matt (collector 31) Ohio Edison.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician  Date Processed 6.27.07

filed a complaint against OhioEd in April 2000 and that the matter was resolved as a result of settlement negotiations. OhioEd also admits that the company replaced the complainant's meter with a digital meter. Further, OhioEd denies the allegations set forth in the complaint.

As to its motion to dismiss, OhioEd states that it has breached no legal duty owed to complainant and that Ms. Schaum has failed to state reasonable grounds upon which relief may be granted. In addition, OhioEd contends that the complainant has not identified any Commission rule or regulation that OhioEd has violated. Accordingly, OhioEd requests that the complaint be dismissed.

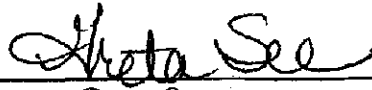
- (3) The Attorney Examiner shall hold OhioEd's motion to dismiss in abeyance, at this time, to give the parties an opportunity to resolve this matter.
- (4) In accordance with the Commission's goal of reducing the number of adversarial proceedings before it, the Attorney Examiner finds that this matter should be scheduled for a conference. The purpose of the conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. In accordance with Rule 408 of the Ohio Rules of Evidence, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible in future proceedings in this case or be admissible to prove liability or invalidity of a claim. Nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference. Scott Farkas, an Attorney Examiner from the Commission's Legal Department will facilitate the settlement discussion.
- (5) Accordingly, the conference shall be scheduled for Tuesday, July 24, 2007, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Conference Room 11-A, Columbus, Ohio 43215-3793. The parties should bring all relevant documents with them to the conference and, if the parties are unable to resolve the dispute at the settlement conference, be prepared to address procedural issues and schedule the hearing.

It is, therefore,

ORDERED, That this matter be scheduled for a conference on July 24, 2007, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, Conference Room 11-A, Columbus, Ohio. It is, further,

ORDERED, That a copy of this entry be served upon Ms. Schaum, OhioEd and its counsel, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

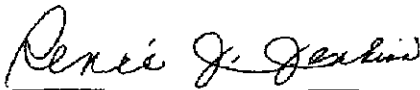


By: Greta See  
Attorney Examiner

*del/vrm*

Entered in the Journal

JUN 27 2007



Renee J. Jenkins  
Secretary