

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Columbus Dunn,

Complainant,

vs.

The Ohio Edison Company,

Respondent.

Case No. 06-1290-EL-CSS

## ENTRY

**The Attorney Examiner finds:**

- (1) On October 25, 2006, Columbus Dunn (Mr. Dunn) filed a complaint against Ohio Edison Company (Ohio Edison). Mr. Dunn alleged that his electric service to 910 West Liberty Street in Medina (West Liberty) was unjustly shut off on May 9, 2006, causing water and mold damage because there was no power to operate a sump pump. Mr. Dunn asserts that Ohio Edison's action was unjust because he had made all payments prior to the bill dated April 10, 2006. Mr. Dunn adds that when he received the April 10, 2006, bill, he asked that his PIPP account be transferred to his address in Elyria at 1853 West Avenue (West Avenue); when he made this request, he says that he was told that there would be a hold placed on disconnection of service "until such time the re-billed was adjusted and sent out." He claims that the transfer was not made until May 17 and that the final bill was sent May 22, 2006, after the May 9, 2006, shutoff of power occurred.
- (2) Ohio Edison responded on November 15, 2006, by stating that it disconnected electric service to West Liberty on May 9, 2006, for nonpayment. Ohio Edison denies Mr. Dunn's allegation that he made all payments prior to billing statements being sent out on April 10, 2006. Ohio Edison agrees that the PIPP account was transferred from West Liberty to West Avenue on May 17, 2006, but denies that an Ohio Edison representative informed Mr. Dunn that there would be a hold place on the service disconnection. Ohio Edison denies any remaining allegations of Mr. Dunn.

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- (3) A prehearing conference was conducted on December 11, 2006 at the Commission offices. The parties agreed at the conference to continue working toward resolution of the matter.
- (4) On February 1, 2007, Mr. Dunn contacted the attorney examiner and indicated that he needed more time to clarify the elements of a settlement proposal made by Ohio Edison. In conjunction with this, he asked that further action in his complaint case be postponed for approximately two months. The attorney examiner granted Mr. Dunn's request.
- (5) Mr. Dunn informed the attorney examiner on March 22, 2007, that he had modified the settlement proposal of Ohio Edison and returned it to them for their consideration. Shortly thereafter, on April 6, 2007, Mr. Dunn indicated that he had obtained legal counsel and would wait until April 30, 2007, for Ohio Edison's response. In turn, on May 15, 2007, counsel for Mr. Dunn indicated to the attorney examiner that discussions with Ohio Edison were continuing.
- (6) On July 16, 2007, Mr. Dunn contacted the attorney examiner to request that a hearing date be set. Accordingly, this matter is set for hearing on September 27, 2007, at 9:00 A.M. Eastern Daylight Time, in Hearing Room 11-G at the Commission Offices, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (7) Any party intending to present direct expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code (O.A.C.), which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing.

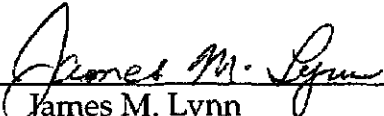
It is, therefore,

ORDERED, That the parties attend the hearing on the day and time indicated in Finding (6). It is, further,

ORDERED, That any party intending to present direct expert testimony comply with Rule 4901-1-29(A)(1)(h), O.A.C. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By:   
James M. Lynn  
Attorney Examiner

RPK/vrm

Entered in the Journal

AUG 01 2007



Renee J. Jenkins  
Secretary