

07-0356 EL CSS

Monday, September 03, 2007

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Public Utilities Commission of Ohio  
Docketing Division  
180 E. Broad St.  
Columbus, OH 43215-3793

PUCO

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**Formal Complaint Application**

Account 2700-0480-22-9, address 28 West McMicken Av, Cincinnati OH 45202

I am a customer of Duke Energy, the company the complaint is against.

Duke Energy responded to a claim by referencing a rule that does not apply. The referenced rule applies to situations due to an interruption of power, not due to a surge of power. Power interruptions are different from power surges. Upon discussion of the rules by PUCO staff and Duke Energy staff, no reference in the rules is made to situations involving surges, as it is referenced by other companies. There was a specific incident, on March 2, 2007, involving a transformer and wires in the vicinity of my address, resulting in a surge of power that damaged most of my electronic equipment, tv's, dvd player, computer, and fluorescent lights. I filed a claim with the company, and upon receiving a letter, discussed the matter and their policies, rules and regulations, covering a time period of March 2<sup>nd</sup> to today, March 28th. It is *unreasonable* that Duke Energy should be allowed to reference inapplicable rules to settle claims. The lack of an applicable rule shows *inadequate service* has been provided.

I would like to request the commission deliberate on whether Duke Energy referenced applicable rules in my case and others like mine, involving surges; and, review the rules and determine if, compared to other utilities, Duke Energy is lacking adequate rules as they relate to situations involving losses due to surges. If practices, rules need to be changed or amended, I request it be done.

Additionally, I request that Duke Energy be held liable for the damage to my equipment, as listed above, replacement costs totalling \$3,200. There have been several defective transformer malfunctions in Over-the-Rhine in recent months, indicating old equipment that is not maintained or replaced in a timely manner. Also, although I agree with Duke staff that the cracked sheathing on the wires may not cause a problem, the lack of wire covering during an incident of a loose

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wire flapping about increases the likelihood of additional damage, such as creating an additional unexpected circuit that could lead to a surge. Also, the difficulty a customer encounters when attempting to obtain a report of an incident is a problem. Referring the customer to the claims processor for such a request, meant no response for me, as this processor takes months to respond, and regarding my request for a report, never responded.

It would be worth looking at the maintenance data and see if predominantly poor neighborhoods, such as Over-the-Rhine, receive the same level of service, replacement, as more upscale neighborhoods, such as , say, Hyde Park. Discriminating in terms of equipment upkeep, between one group of residents and another, would not be fair.

Please accept this updated, amended complaint.

Sincerely,

Walter Reinhaus