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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of
Walter Reinhaus
28 West McMicken Ave.
Cincinnati, OH 45202

Plaintiff,

v.

Duke Energy Ohio, Inc.
139 East Fourth Street
Cincinnati, OH 45202

Respondent.

Case No. 07-356-EL-CSS

ANSWER OF RESPONDENT DUKE ENERGY OHIO, INC. TO THE AMENDED
COMPLAINT OF WALTER REINHAUS

For its Answer to the Amended Complaint of Plaintiff Walter Reinhaus (Complainant), Duke Energy Ohio, Inc., (DE-Ohio) states as follows:

FIRST DEFENSE

1. DE-Ohio admits that Walter Reinhaus is a consumer of DE-Ohio whose residence is 28 West McMicken Ave., Cincinnati, Ohio 45202.
2. DE-Ohio is without sufficient knowledge or information to either admit or deny the remainder of the allegations contained in paragraphs one and two of the Amended Complaint.
3. DE-Ohio is without sufficient knowledge or information to either admit or deny the allegations contained in paragraph three of the Amended Complaint.
4. DE-Ohio denies the allegations contained in paragraph four of the Amended Complaint.
5. DE -Ohio denies the allegations contained in paragraph five of the Amended Complaint

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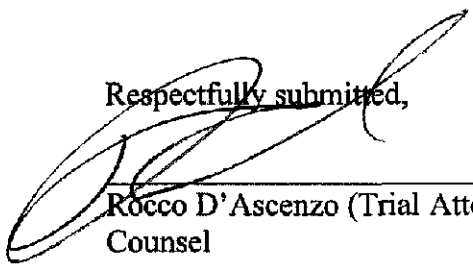
AFFIRMATIVE DEFENSES

In addition to the foregoing specific answers to the allegations raised by Complainant, DE-Ohio raises the following defenses:

6. DE-Ohio asserts as an affirmative defense that pursuant to R.C. 4905.26 and O.A.C.4901-9-01(B)(3), Complainant has failed to set forth reasonable grounds for complaint.
7. DE-Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, DE-Ohio has provided reasonable and adequate service under applicable tariffed rates to Complainant in accordance with all applicable provisions of Title 49 of the Ohio Revised Code and regulations promulgated thereunder, and in accordance with DE-Ohio's filed tariffs, and all applicable state and federal laws and industry standards.
8. DE-Ohio asserts as an affirmative defense that it breached no legal duty owed to Complainant.
9. DE-Ohio asserts as an affirmative defense that to the extent the Company violated any applicable statute, regulation, industry standard, reliability guidelines or tariff provision, which is expressly denied, such violation was not the proximate cause of any injury alleged by Complainant.
10. DE-Ohio asserts that to any degree that the Complainant is requesting this Commission award monetary damages or bill adjustment to compensate for any alleged damages that such a remedy is outside the jurisdiction of this Commission.

WHEREFORE, having fully answered, Duke Energy Ohio, Inc. respectfully moves this Commission to dismiss the Amended Complaint of Walter Reinhaus, for failure to set forth reasonable grounds for complaint and to deny Complainant's Requests for Relief.

Respectfully submitted,



Rocco D'Ascenzo (Trial Attorney)
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Amended Answer to the Complaint was sent via regular U.S. Mail, postage prepaid to the following party of record this 10th day of September 2007.

Walter Reinhaus
28 West McMicken Ave.
Cincinnati, OH 45202



Rocco D'Ascenzo