

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Donald S. Kuchar,)	
)	
Complainant,)	
)	
v.)	Case No. 07-686-EL-CSS
)	
Hancock-Wood Electric Cooperative, Inc.,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On June 6, 2007, Donald S. Kuchar (complainant) filed a complaint against Hancock-Wood Electric Cooperative, Inc. (Hancock-Wood). The complainant maintains that the rates Hancock-Wood is charging for the replacement and maintenance of the underwater cable to Kelley's Island is discriminatory, unfair, and unreasonable. The complainant submits that the costs should be spread across Hancock-Wood's entire customer base.
- (2) On June 6, 2007, the secretary of the Commission served a copy of the complaint on Hancock-Wood and directed Hancock-Wood to file an answer to the complaint with the Commission.
- (3) On August 6, 2007, Hancock-Wood filed a letter responding to this complaint. Hancock-Wood states that, while it is an electric cooperative with certified boundaries established by the Commission, it is not subject to the Commission's supervision or regulation.
- (4) Section 4905.03(A)(4), Revised Code, provides that a corporation is an "electric light company, when engaged in the business of supplying electricity for light, heat, or power purposes to consumers within this state." Section 4905.02, Revised Code, defines the term "public utility" to exclude electric light companies that operate their utilities on a not-for-profit basis.

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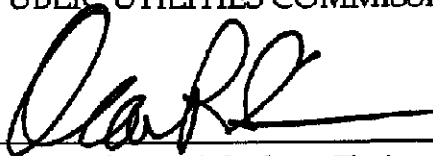
- (5) Section 4905.26, Revised Code, provides that any person may file a complaint against a "public utility" alleging that any rate charged by the public utility is unjust, unreasonable, unjustly discriminatory, unjustly preferential, or in violation of law. Since Hancock-Wood is a not-for-profit electric light company, it is not a "public utility." Therefore, the Commission is not authorized to hear a complaint regarding rates against Hancock-Wood under Section 4905.26, Revised Code. Therefore, this case must be dismissed for lack of jurisdiction to hear this complaint.

It is, therefore,

ORDERED, That this complaint be dismissed. It is, further,

ORDERED, That a copy of this entry be served on all parties of record.

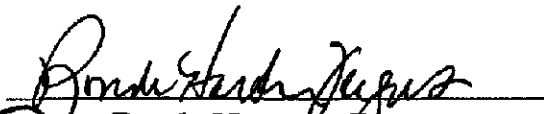
THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



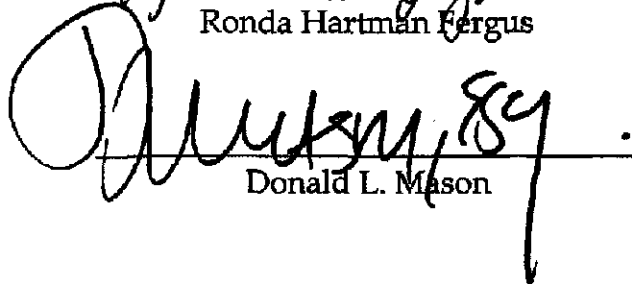
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie

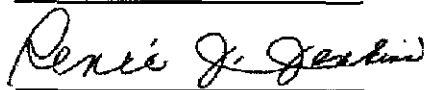


Donald L. Mason

CMTP:ct

Entered in the Journal

OCT 03 2007



Renee J. Jenkins
Secretary