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PUCO

Formal Complaint Form

07-1137-EL-C31
Case Number

Public Utilities Commission of Ohio
Attn: Docketing
180 E. Broad St.
Columbus, OH 43215

AUSTIN'S WOODFIRE GRILL
Customer Name

8121 CHIPPEWA RD.
Customer Address

BRECKSVILLE OHIO 44141
City State Zip

Against

1100260826 09
Account Number

Customer Service Address (if different from above)

THE ILLUMINATING CO.
Utility Company Name

City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

ATTACHED IS A LETTER TO THE CLEVELAND ILLUMINATING COMPANY REGARDING A PARTIAL POWER OUTAGE ON AUGUST 2, 2007. OUR POINT OF CONTENTION IS THAT THE PROBLEM WASN'T TAKEN CARE OF IN THE OVERNIGHT HOURS WHICH RESULTED IN LOSS OF BUSINESS AND EQUIPMENT FAILURE. JIM FRANK OF THE ILLUMINATING COMPANY REQUESTED A LIST OF LOSSES FROM THE OUTAGE. HE HAS NOT RETURNED ANY OF OUR PHONE CALLS WHICH HAS PROMPTED THIS FORMAL COMPLAINT

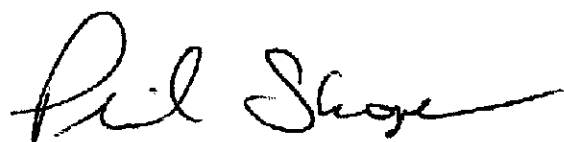
Philip A. Sh... Philip Sh... ..
Signature

440.546-1003
Customer Telephone Number

The Public Utilities Commission of Ohio
Ted Storchland, Governor • Alan R. Schiffler, Chairman
Commissioners: Randa Harman Forges, Judy A. Jones, Valerie A. Leamon, Donald L. Mason
180 E. Broad Street, Columbus, Ohio 43215-3793 • An Equal Opportunity Employer and Service Provider

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Technician TM Date Processed 10/25/2007

WE ARE SEEKING COMPENSATION FOR THE LOSSES INCURRED
ON AUGUST 3, 2007 DUE TO THE NEGLIGENCE OF THE
ILLUMINATING COMPANY. POWER WASN'T RESTORED UNTIL
4:30 PM. ON AUGUST 3RD, WE WEREN'T ABLE TO COOK
FOOD UNTIL 7:30 PM. DUE TO EQUIPMENT FAILURE AS A
RESULT OF LOSING ONE PHASE. THANK YOU FOR YOUR
TIME AND ATTENTION TO THIS MATTER.



PHIL SKROTEN
VICE PRESIDENT OF OPERATIONS

AUSTIN'S WOODFIRE GRILLE
8121 Chippewa Road
Brecksville, Ohio 44141
Phone 440-546-1003

TO: JIM FRANK(THE ILLUMINATING COMPANY)
FROM: PHIL SKOCZEN

RE: POWER OUTAGE AUGUST 2ND-3RD

ON AUGUST 2ND, AROUND 10:00 P.M., WE MADE OUR FIRST CALL TO THE ILLUMINATING COMPANY ABOUT A PARTIAL POWER OUTAGE. THE COMPUTER RESPONDED THAT OUR POWER SHOULD BE RESTORED AROUND 1:00 A.M. THE ILLUMINATING COMPANY WAS CALLED AGAIN AT 9:00 A.M. ON AUGUST 3RD TO REPORT THAT THE PARTIAL OUTAGE REMAINED. THE GENTLEMAN THAT I TALKED TO SAID THAT A CREW WAS OUT AT AROUND 1:00 A.M. AND FOUND NOTHING WRONG. HE THEN SAID HE WOULD HAVE A CREW OUT AS SOON AS POSSIBLE. THE OWNER OF AUSTIN'S CALLED AT 10:00 A.M. TO FOLLOW UP ON THE TWO PREVIOUS CALLS AND WAS TOLD THAT THEY WERE ON THEIR WAY. HE ALSO EXPRESSED HIS CONCERN ON WHY THE PROBLEM WASN'T TAKEN CARE OF THE PREVIOUS NIGHT. THE TRUCK FINALLY ARRIVED AT 11:30 AND DETECTED A BLOWN FUSE ON ONE OF THE PHASES. THE FOLLOWING IS A LIST OF DAMAGES AND EXPENSES THAT OCCURED AS A DIRECT RESULT OF NOT DETECTING AND REPAIRING THE PROBLEM DURING THE FIRST VISIT AT 1:00 A.M.

-60 POUNDS OF LIVE LOBSTERS HELD IN A LOBSTER TANK @ \$12.99 A POUND TOTALING \$779.40

-LABOR LOST WHILE WAITING FOR REPAIRS \$530.11 -SEE ATTACHED SHEET

-MANAGEMENT LABOR \$453.00

-EMPLOYER LABOR TAXES @15% TOTALING \$147.46

-BUDGETED SALES LOST \$4200.00 @15% PROFIT TOTALING \$630.00

-COMPLIMENTARY COLD FOOD AND BEVERAGE GIVEN TO DISGRUNTLED CUSTOMERS WAITING FOR POWER TO RETURN \$224.00

-DUE TO LOSS OF A PHASE FOR AN EXTENDED AMOUNT OF TIME, 2 OUT OF THE 3 MOTOR STARTERS FOR THE HOOD FANS BURNED OUT. ESTIMATED COST @ \$855.70 -SEE ATTACHED FORM. ACCORDING TO OUR ELECTRICIAN, THE CHANCES OF THIS HAPPENING WOULD HAVE BEEN GREATLY REDUCED IF THE PROBLEM WAS RECTIFIED ON THE FIRST VISIT.

THANK YOU JIM FOR YOUR ATTENTION TO THIS MATTER.