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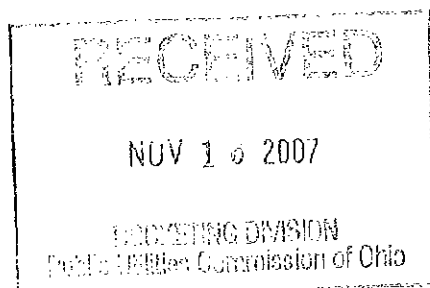
FirstEnergy**FAX TRANSMISSION**

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To: PUCO Docketing**Date:** November 15, 2007**Firm:****From:** Ebony L. Miller**Fax #:** 614-466-0313**Pages:** 6 (including cover page)

Subject: Austin's Woodfire Grille v. The Cleveland Electric Illuminating Company
Case no. 07-1137-EL-CSS
Answer of the Cleveland Electric Illuminating Company

COMMENTS: Attached is the Answer regarding the above case. The originals and the required number of copies will be sent via overnight mail for delivery tomorrow, Friday, November 16, 2007. Please call me if you have any questions. Thank you.



**IF YOU DO NOT RECEIVE ALL OF THE PAGES MENTIONED ABOVE,
PLEASE CALL KELLY INGERSOLL AT 330-761-4426.**

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Ebony L. Miller
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*Via Federal Express
And Facsimile (614-466-0313)*

November 15, 2007

Ms. Renee J. Jenkins
Director, Administration Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 Broad Street
Columbus, OH 43215-3793

Dear Ms. Jenkins:

Re: *Answer*
Austin's Woodfire Grille v. Cleveland Electric Illuminating Company
Case No. 07-1137-EL-CSS

Enclosed for filing, please find the original and twelve (12) copies of the *Answer* regarding the above-referenced case. Please file the enclosed *Answer*, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,



kli
Enclosures
cc: Parties of Record

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

AUSTIN'S WOODFIRE GRILLE)

COMPLAINANT,)

vs.)

CASE NO. 07-1137-EL-CSS

THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY)

RESPONDENT.)

ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

Comes now Respondent, The Cleveland Electric Illuminating Company, by counsel, and for its Answer to the Complaint filed in the instant action says that:

1. The Cleveland Electric Illuminating Company ("CEI") is a public utility, as defined by §4905.03(A)(4), O.R.C. and is duly organized and existing under the laws of the State of Ohio.

2. While the Complaint consists of a one page letter and an attached undated letter addressed to a CEI representative, CEI will attempt to specifically answer the different allegations within the letters.

3. CEI denies responsibility for Complainant's loss of business and equipment failure.

4. CEI denies that CEI representative James Frank failed to return Complainant's phone calls.

5. CEI denies that power was not restored until 4:30 pm on August 3, 2007.

6. CEI denies Complainant's allegation that any loss of business, equipment failure or any loss the Complainant sustained was a result of any negligence on the part of CEI.

7. CEI generally denies any other allegations that may be set forth in the Complaint that were not otherwise specifically addressed hereinabove.

For its affirmative defenses, CEI further avers that:

8. CEI breached no legal duty owed to Complainant, and Complainant failed to state reasonable grounds upon which its requested relief may be granted. While the Commission is empowered to hear electric service complaints, it is without jurisdiction or authority to hear claims sounding in tort or claims for money or civil damages, and therefore does not have the authority to grant the relief sought by Complainant.

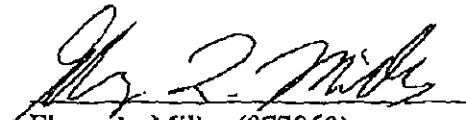
9. CEI has at all times acted in accordance with its Tariff, PUCO No. 13, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.

10. Even if the Complainant's allegations were true, CEI also has no liability under its Commission-approved rules and regulations. Rule IV(B) states "The Company will endeavor, but does not guarantee, to furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits. The Company [CEI] shall not be liable for damages which the customer may sustain due to variations in service characteristics or phase reversals."

P.U.C.O. No. 13, Original Sheet No. 4, Page 3 of 24, IV(B).

WHEREFORE, having fully answered the Complaint, Respondent, The Cleveland Electric Illuminating Company, respectfully request that the instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,


Ebony L. Miller (077063)

Attorney

FirstEnergy Service Company

76 South Main Street

Akron, Ohio 44308

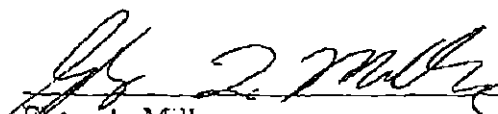
Phone: 330-384-5969

Fax: 330-384-3875

On behalf of The Cleveland Electric
Illuminating Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer of The Cleveland Electric Illuminating Company was served by regular U.S. Mail, postage prepaid, to Austin's Woodfire Grille., 8121 Chippewa Road, Brecksville, Ohio 44141, this 15th day of November, 2007.



Ebony L. Miller
Attorney