

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

| | | |
|--|---|------------------------|
| In the Matter of the Complaint of John |) | |
| Hollabaugh, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | Case No. 07-935-WS-CSS |
| |) | |
| Aqua Ohio, Inc., |) | |
| |) | |
| Respondent. |) | |

ENTRY

The Commission finds:

- (1) On August 20, 2007, John Hollabaugh (Complainant) filed a complaint with the Commission against Aqua Ohio, Inc. (Aqua). In this matter, Mr. Hollabaugh complains about his bill for water usage issued by Aqua on July 27, 2007.
- (2) Aqua filed its answer to the complaint on September 12, 2007. Aqua admits that it provides water service to Mr. Hollabaugh and that the company issued a bill for water usage to Complainant dated July 27, 2007, in the amount of \$177.12. In all other respects, Aqua denied the allegations set forth in the complaint inasmuch as Aqua was without sufficient knowledge or information to form a belief as to the truth of Complainant's averments. Aqua further asserted that it provides water service to the Complainant in accordance with its tariff, the Commission's rules and regulations, and all applicable statutory provisions.
- (3) Aqua is a public utility and water works company subject to the jurisdiction of this Commission pursuant to Sections 4905.02 and 4905.03(A)(8), Revised Code.
- (4) Aqua filed a motion to dismiss this complaint on September 24, 2007. Aqua claims that the parties have amicably resolved the issues set forth in the complaint and thereby jointly seek to dismiss the complaint with prejudice at this time.

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- (5) Pursuant to Rule 4901-9-01(F), Ohio Administrative Code, the Complainant had 20 days to respond to Aqua's motion to dismiss, agreeing or disagreeing with Aqua's assertions contained therein and indicating whether the Complainant wished to pursue the complaint. If no response was filed within the 20-day period, the Commission may presume that satisfaction or settlement of the complaint has occurred.
- (6) Complainant did not file a response to Aqua's motion to dismiss. Accordingly, the complaint is presumed to be satisfied.
- (7) The Commission finds that the request to dismiss the complaint, with prejudice, is reasonable and should be granted.

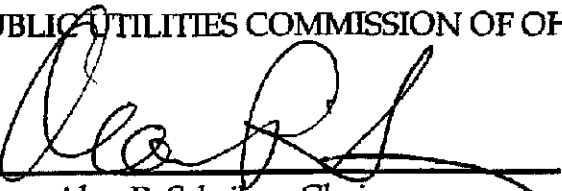
It is, therefore,


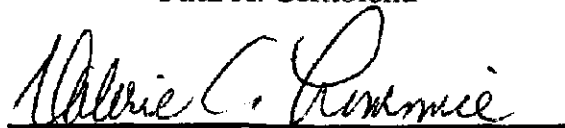
ORDERED, That the request to dismiss the complaint, with prejudice, is granted. It is, further,

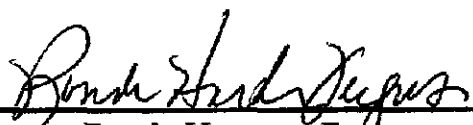
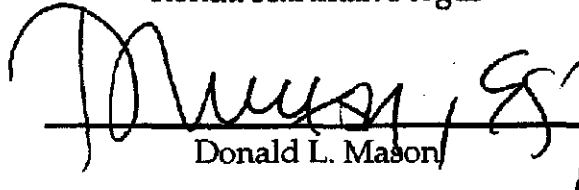
ORDERED, That Case No. 07-935-WS-CSS be dismissed. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman

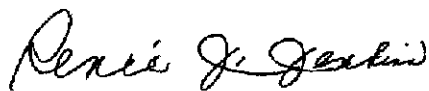

Paul A. Centolella

Valerie A. Lemmie


Ronda Hartman Fergus

Donald L. Mason

JRJ/vrm

Entered on the Journal

NOV 20 2007



Renee J. Jenkins
Secretary