

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Dawan)
Clayborne,)
)
Complainant,)
)
v.) Case No. 07-248-GA-CSS
)
Columbia Gas of Ohio, Inc.,)
)
Respondent.)

ENTRY

The Commission finds:

- (1) On March 5, 2007, Dawan Clayborne (complainant) filed a complaint with the Commission against Columbia Gas of Ohio, Inc. (Columbia, company). The complaint alleged that, based on an inaccurate meter reading, complainant was improperly billed for gas at his residence.
- (2) Columbia filed its answer to the complaint on March 23, 2007. In the answer, Columbia denied the allegations in the complaint.
- (3) By entry dated April 25, 2007, the attorney examiner scheduled a settlement conference for May 31, 2007. The parties, however, were unable to resolve the complaint at the conference.
- (4) By entry dated September 7, 2007, a hearing was scheduled in this matter on October 30, 2007, in the offices of the Commission.
- (5) Correspondence letters from Commission staff to the complainant, bearing the post office box number specified by the complainant in his complaint, were returned as undeliverable mail.
- (6) A service notice, which listed service of the entry scheduling the October 30, 2007 hearing on the respondent at his street

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address in Toledo, Ohio, was filed on September 7, 2007. An inquiry to the Commission's Docketing Department revealed that the September 7, 2007 entry scheduling the hearing was not included in mail returned to the Commission. Further, the inquiry also revealed that, had service of the September 7, 2007 scheduling entry been returned, the return would be indicated on the service notice. There is no such indication listed on the service notice.


- (7) An effort to contact the complainant by telephone disclosed that the complainant's telephone line is not in service. In addition, Columbia related that the company does not have another address or a telephone number for the complainant different from the address and telephone number listed in the Commission's records.
- (8) The complainant did not appear at the scheduled hearing on October 30, 2007, and Columbia moved to dismiss the complaint.
- (9) To date, the attorney examiner has not been contacted by the complainant for any reason, nor has he received any explanation from the complainant regarding the complainant's failure to attend the October 30, 2007 hearing.
- (10) The Commission finds that Columbia's motion should be granted and that this case should be dismissed, without prejudice, for lack of prosecution.

It is, therefore,

ORDERED, That Case No. 07-248-GA-CSS be dismissed, without prejudice, for lack of prosecution. It is, further,

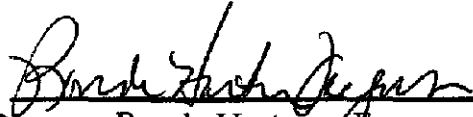
ORDERED, That a copy of this entry be served upon each party of record.

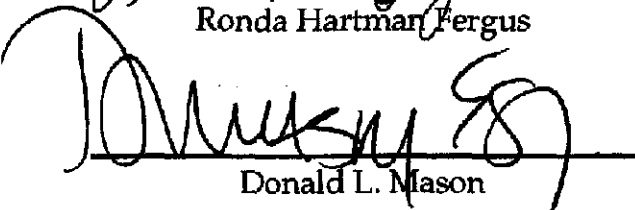
THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Paul A. Centolella


Valerie A. Lemmie


Ronda Hartman Fergus


Donald L. Mason

KKS/vrm

Entered in the Journal

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Renee J. Jenkins
Secretary