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2007 DEC 24 AM 9:56

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PUCO

*Via Federal Express  
and Facsimile (614-466-0313)*

December 21, 2007

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

Dear Ms. Jenkins:

Re: *Answer*  
*Don Damyanic v. Ohio Edison Company*  
*Case No. 07-1239-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

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**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

DON DAMYANIC	)	
	)	
COMPLAINANT,	)	
	)	
vs.	)	CASE NO. 07-1239-EL-CSS
	)	
OHIO EDISON COMPANY	)	
	)	
RESPONDENT,	)	

**ANSWER OF  
OHIO EDISON COMPANY**

Comes now Respondent, Ohio Edison Company ("OE"), by counsel, and for its Answer to the Complaint filed in the instant action says that:

1. OE 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. OE admits disconnection of Complainant's electric service on October 22, 2007 for nonpayment; OE denies that Complainant's account was "up to date and current" at the time of disconnection.

3. OE admits disconnection of Complainant's electric service on November 16, 2007; OE avers that such disconnection was due to metering tampering; OE denies charging Complainant twice for re-connection.

4. OE denies the allegation of lost or damaged property for lack of knowledge or information sufficient to form a belief as to the truth of the allegation; OE further denies responsibility for the alleged lost or damaged property.

5. OE denies receiving calls from Complainant on November 26, 2007; OE avers that Complainant called on November 16, 2007 and spoke with a Customer Service representative.

6. To the extent that the remaining information contained in the Complaint regarding contractors and local news media is intended to contain allegations, OE denies the allegations for lack of knowledge or information sufficient to form a belief as to the truth of the allegations.

7. OE generally denies all allegations set forth in the Complaint not otherwise specifically addressed hereinabove.

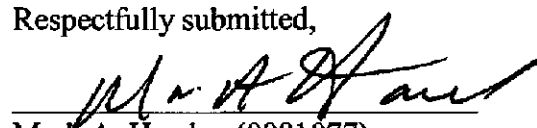
**For its affirmative defenses, OE avers that:**

8. OE breached no legal duty or obligation owed to Complainant, and Complainant failed to state reasonable grounds upon which its requested relief may be granted.

9. OE has at all times acted in accordance with its Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Commission, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.

WHEREFORE, having fully answered the Complaint, Respondent, OE, respectfully requests that the instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,

  
Mark A. Hayden (0081077)

Attorney

FirstEnergy Service Company

76 South Main Street

Akron, Ohio 44308

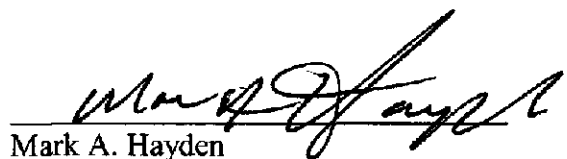
Phone: 330-761-7735

Fax: 330-384-3875

On behalf of Ohio Edison Company

#### CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer to the Complaint of Ohio Edison Company was served by regular U.S. Mail, postage prepaid, to Don Damyanic, 37165 Giles Road, Grafton, Ohio 44044, this 21<sup>st</sup> day of December, 2007.

  
Mark A. Hayden  
Attorney