

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Betty Jean Putman,)	
)	
Complainant,)	
)	
v.)	Case No. 07-1031-EL-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On September 18, 2007, Betty Jean Putman (complainant) filed a complaint against Duke Energy Ohio, Inc. (DE-Ohio) alleging that she was on a Percentage of Income Payment Plan (PIPP) for 16 years, but is no longer a PIPP customer. The complainant states that DE-Ohio has billed her \$10,000, has turned off her service, and the company is asking her to pay \$3,000 to have her service turned back on. The complainant maintains that the company will not work with her to get her service turned back on.
- (2) On October 4, 2007, DE-Ohio filed its answer to the complaint denying the allegations in the complaint, except to the extent they are specifically admitted in the answer, and stating that it has complied with all applicable state statutes, the Commission's rules and regulations, and DE-Ohio's tariff.
- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. Accordingly, this case should be scheduled for a conference on Wednesday, February 20, 2008, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, hearing room B, Columbus, Ohio 43215-3793.
- (4) The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint

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in lieu of an evidentiary hearing. Therefore, the parties should bring with them all documents relevant to this matter.

- (5) An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.
- (6) If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (7) Based upon the information in the complaint and the answer, it would appear that the complainant's service has been disconnected. However, DE-Ohio has verbally attested to the attorney examiner that the complainant is currently receiving service from the company. Pursuant to Rule 4901-9-01(E), Ohio Administrative Code, the attorney examiner has the authority in a complaint case to prevent termination of service to a complainant during the pendency of the complaint. Accordingly, the attorney examiner finds it appropriate in this case to forestall DE-Ohio from terminating service to the complainant during the pendency of this matter or until the Commission orders otherwise. In exchange for the continuation of service, Ms. Putman must timely pay to DE-Ohio all amounts for current service that are billed by DE-Ohio that she does not dispute.

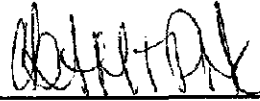
It is, therefore,

ORDERED, That a settlement conference be scheduled on Wednesday, February 20, 2008, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, hearing room B, Columbus, Ohio 43215-3793. It is, further,


ORDERED, That, during the pendency of this proceeding or until the Commission orders otherwise, DE-Ohio may not terminate service to the complainant. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

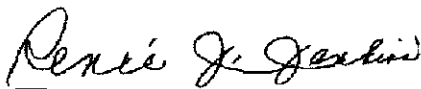


By: Christine M.T. Pirik
Attorney Examiner

, vrm

Entered in the Journal

JAN 17 2008



Renee J. Jenkins
Secretary