BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Vashon McIntyre,)	
Complainant,)	
v.	, }	Case No. 08-61-WS-CSS
City of Cleveland Division of Water,)	
Respondent.)	
	ENTRY	

The Commission finds:

- (1) On January 15, 2008, Vashon McIntyre filed a complaint against the City of Cleveland Division of Water alleging inadequate service and seeking damages.
- (2) Respondent filed a motion to dismiss this complaint on March 12, 2008. The City of Cleveland claims that it is a municipal corporation that owns and operates the utility subject to this complaint. Citing to Section 4905.02, Revised Code, respondent submits that the Commission lacks jurisdiction over public utilities that are owned or operated by municipal corporations.
- (3) Respondent's motion is well-made; therefore, this complaint is dismissed for lack of jurisdiction.

It is, therefore,

ORDERED, That this complaint be dismissed in accordance with finding 3. It is, further,

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician SM Date Processed 6/1/08

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UZILITIES COMMISSION OF OHIO

Alan R. Schriber, Chairman

Paul A Contololla

Valerie A. Lemmie

Ronda Hartman Ferras

Cherla Takento

Cheryl L. Roberto

JRJ/vrm

Entered in the Journal

JUN 1 1 2008

Reneé J. Jenkins

Secretary