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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**LINDA L. NELLIS,**

**Complainant,**

**v.**

**THE EAST OHIO GAS CO. d/b/a  
DOMINION EAST OHIO,**

**Respondent.**

**FILE**

**Case No. 08-812-GA-CSS**

**ANSWER**

Pursuant to Ohio Administrative Code § 4901-9-01(D), Respondent The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO"), for its Answer to the Complaint, responds as follows:

**FIRST DEFENSE**

1. Denies the allegation that Complainant has "been dealing with this matter since January of 2008" for lack of knowledge or information sufficient to form a belief as to the truth thereof. DEO avers that it has been in contact with Complainant several times since October 2006 regarding billing disputes.

2. Denies that Complainant is a customer of "Dominio Gas" but avers that Complainant is a customer of DEO and received natural gas service at 13407 Clifton Boulevard, Lakewood, Ohio 44107.

3. Denies the allegation that "this did not start off right because, I have not been living in the house for two years" for lack of knowledge or information sufficient to form a belief as to the truth thereof.

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4. Denies the following allegations for lack of knowledge or information sufficient to form a belief as to the truth thereof: “[W]ithout [Complainant’s] knowing as an older person, Nopec had [an] agreement with Dominion to be a carrier.”

5. Denies the allegation that Complainant “received no notification as to this new line of service” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

6. Denies any and all allegations related to or describing the actions or omissions of NOPEC or any of its representatives or employees for lack of knowledge or information sufficient to form a belief as to the truth thereof.

7. Denies any and all allegations related to or describing the actions or omissions of the Public Utilities Commission of Ohio or any of its representatives or employees for lack of knowledge or information sufficient to form a belief as to the truth thereof.

8. Denies the allegation that “[i]f you did not sign for an opt out they automatically attached themselves to the Domi[ni]on Bill” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

9. Denies the allegation that Complainant was “not aware of this for months since [Complainant] was not living there” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

10. Denies the allegation that “this is an unfair practice [by] Domi[ni]on . . . because they did not prepa[re] the public better for what was to transpire” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

11. Denies the allegation that Dominion and NOPEC “should [have] given us a letter within the billing statement notif[y]ing me and others that there was this chang[e]” for lack of

knowledge or information sufficient to form a belief as to the truth thereof. DEO further avers that whether it should have included any information with any billings statements is a legal conclusion and as such cannot be admitted or denied.

12. Denies the allegation that Complainant is “not the only one who has gone through this” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

13. Admits that Dominion personnel have contacted Complainant several times.

14. Denies that Complainant “[has] not live[d] in the house” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

15. Denies that Complainant “did not turn on gas until /Nov/Dec” for lack of knowledge or information sufficient to form a belief as to the truth thereof. DEO avers that Complainant began receiving service from DEO in 1981, and in the last two years the only turn-on and turn-off of service was related to a meter change in April 2008.

16. Denies that “thermostat[] was on 50 deg.” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

17. Denies that Complainant has “a 7,000 bill.” DEO avers that Complainant’s account balance as of June 23, 2008, was \$7,328.74. DEO further avers that between May 4, 2007, and March 18, 2008, Complainant made no payments on her gas bill which resulted in her removal from the budget plan. DEO further avers that all charges DEO seeks to collect from Complainant are based on actual usage. DEO further avers that Complainant’s meter has been tested and is accurate under R.C. 4933.09.

## **SECOND DEFENSE**

18. The Complaint does not comply with Commission’s minimum standards for acceptable complaints and should not have been docketed or served on DEO. The Complaint does not contain “a statement which clearly explains the facts which constitute the basis of the

complaint," nor does it contain "a statement of the relief sought." See Ohio Admin. Code § 4901-19-01(B).

### **THIRD DEFENSE**

19. The Complaint fails to state a claim for which relief can be granted.

### **FOURTH DEFENSE**

20. The Complaint fails to set forth reasonable grounds for complaint.

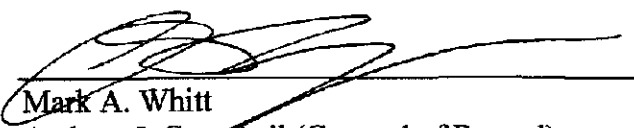
### **FIFTH DEFENSE**

21. DEO at all times complied with Title 49, Ohio Revised Code; the rules, regulations, and orders of the Commission; and DEO's tariffs. These statutes, rules, regulations, and tariff provisions bar Complainant's claims.

22. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, DEO respectfully requests an Order dismissing the Complaint and granting DEO all other necessary and proper relief.

Respectfully submitted,



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ATTORNEYS FOR RESPONDENT  
THE EAST OHIO GAS COMPANY d/b/a  
DOMINION EAST OHIO

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was sent by ordinary U.S. mail to  
Linda L. Nellis, 13407 Clifton Boulevard, Lakewood, Ohio 44107, this 21st day of July, 2008.

  
Andrew J. Campbell