

FILE

RECEIVED-BUCKETING DIV

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JUL 23 PM 3:34

CHRISTINE KALEDA,

Complainant,

v.

**THE EAST OHIO GAS COMPANY
d/b/a DOMINION EAST OHIO,**

Respondent.

Case No. 08-858-GA-CSS

PUCO

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ANSWER

Respondent The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO"), for its Answer to the Complaint and pursuant to Rule 4901-9-01(D), Ohio Administrative Code, generally denies any and all allegations that it provided inadequate or unreasonable service to Complainant or violated any statute, regulation, Commission order, or tariff provision. In support thereof, DEO:

FIRST DEFENSE

1. Denies the following allegation for lack of knowledge or information sufficient to form a belief as to the truth thereof: "Totally unreasonable gas bill due to gas leak that was undetected."
2. Denies the following allegation for lack of knowledge or information sufficient to form a belief as to the truth thereof: "unreasonable requirements to pay bill."
3. Denies the allegation that Complainant "noticed the smell of gas outside [her] home" on April 21, 2008, for lack of knowledge or information sufficient to form a belief as to the truth thereof. DEO avers that Complainant called DEO on April 21, 2008, about a natural gas odor at the service address.

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Technician DM Date Processed 7/23/2008

4. Admits that a DEO service technician read and sealed Complainant's meter on April 21, 2008.

5. Denies the allegation that Complainant "had not been outside in [her] yard for some time" and "had no idea how long the gas had been leaking" for lack of knowledge or information sufficient to form a belief as to the truth thereof.

6. Denies the allegation that "the leak was not close enough to [Complainant's] house" to "smell the leaking gas indoors" for lack of knowledge or information sufficient to form a belief as to the truth thereof. Avers that the meter manifold is approximately 45 feet from the front of the service address.

7. Denies the allegation that Complainant had "someone out to repair the line at [her] own expense" for lack of knowledge or information sufficient to form a belief as to the truth thereof.

8. Admits Complainant received a bill with an account balance of \$2,417.40. DEO avers that this bill also allowed Complainant to make a payment plan amount of \$201.45.

9. Denies the allegation that the bill for \$2,417.40 was "[n]early 10 times [Complainant's] typical winter bill" for lack of knowledge or information sufficient to form a belief as to the truth thereof.

10. Denies the allegation that "we recalled that there was some work being done on a neighbors [sic] lines 6 or 7 houses away" for lack of knowledge or information sufficient to form a belief as to the truth thereof.

11. Denies the allegation that "it is unfair for [Complainant] to be expected to pay for gas that [she] did not consume" for lack of knowledge or information sufficient to form a belief

as to the truth thereof. DEO avers that all usage for which Complainant was billed was metered and based on actual reads.

12. Denies the allegation that because “there was no way for [Complainant] to be made aware of the problem” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

13. Denies the allegation that if “the meter [was] closer to [Complainant’s] house . . . [she] may have become aware of the problem much sooner” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

14. Admits that DEO offered to bill the amount in question in 12 equal installments in addition to any current balance.

15. Denies that “[t]hey stated that that was the best they could do based on my income” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

16. Denies the allegation that Complainant “[is] being discriminated upon due to [her] financial situation.”

17. Denies the allegation that “there is no possible way for [Complainant] to pay for this leak on top of [her] regular bill” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

18. Denies the allegation that Complainant “will not be able to afford gas next winter” for lack of knowledge or information sufficient to form a belief as to the truth thereof.

19. Denies generally any allegation not specifically admitted or denied in this Answer, pursuant to Section 4901-9-01(D), Ohio Administrative Code.

SECOND DEFENSE

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

THIRD DEFENSE

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

FOURTH DEFENSE

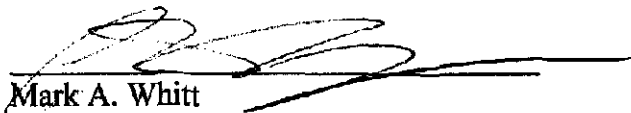
22. Section 4901-9-01(B), Ohio Administrative Code, requires complaints to contain “a statement which clearly explains the facts which constitute the basis of the complaint.” The Complaint does not “clearly explain[] the facts” but sets forth a narrative mixture of factual allegations and legal conclusions. To comply with its obligations under the Commission’s rules of procedure, DEO has answered the Complaint to the best of its ability, but reserves the right to amend its Answer if DEO is prejudiced in any way by Complainant’s failure to clearly explain her allegations.

FIFTH DEFENSE

23. DEO at all times complied with Title 49, Ohio Revised Code; the rules, regulations, and order of the Commission; and DEO’s tariffs. These statutes, rules, regulations and tariff provisions bar Complainant’s claims.
24. DEO reserves the right to raise other defenses as warranted by discovery.

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

Respectfully submitted,

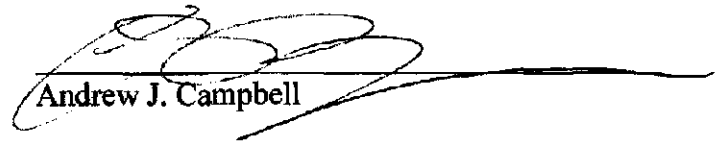


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ATTORNEYS FOR RESPONDENT
THE EAST OHIO GAS COMPANY d/b/a
DOMINION EAST OHIO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was sent by ordinary U.S. mail to Christine Kaleda, 2040 South Schenley Avenue, Youngstown, Ohio 44511, this 23rd day of July, 2008.


Andrew J. Campbell