

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Columbus Dunn,

Complainant,

vs.

Ohio Edison Company,

Respondent.

Case No. 06-1290-EL-CSS

ENTRY

The Commission finds:

- (1) On October 25, 2006, Columbus Dunn (Mr. Dunn) filed a complaint against Ohio Edison Company (Ohio Edison). Mr. Dunn alleged that his electric service was unjustly shut off on May 9, 2006, causing water and mold damage because there was no power to operate a sump pump. Mr. Dunn asserted that Ohio Edison's shut off of his electric service was in error because he had made the necessary payments to Ohio Edison.
- (2) Ohio Edison responded on November 15, 2006, by stating that it had disconnected electric service to Mr. Dunn on May 9, 2006, for nonpayment. Ohio Edison denied Mr. Dunn's allegation that he had made all payments prior to billing statements being sent out on April 10, 2006.
- (3) A prehearing conference was conducted on December 11, 2006 at the Commission offices. The parties agreed at the conference to continue working toward resolution of the matter.
- (4) On February 1, 2007, Mr. Dunn contacted the attorney examiner and requested more time to clarify the elements of a settlement proposal made by Ohio Edison. The attorney examiner granted Mr. Dunn's request and from March 2007 through May 2007 the parties continued working toward settlement.
- (5) On July 16, 2007, Mr. Dunn contacted the attorney examiner to request that a hearing date be set. A hearing date of September 27, 2007, was established, but shortly before then,

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the attorney examiner learned that Mr. Dunn was no longer represented by counsel. The hearing date was then postponed, but Mr. Dunn assured the attorney examiner in subsequent months that he still wished to proceed to hearing.

- (6) The parties met with the attorney examiner on December 21, 2007, and agreed upon a procedural schedule, which was issued via attorney examiner entry on January 10, 2008, and set a hearing date of April 17, 2008.
- (7) In February 2008 the attorney examiner was informed by Ohio Edison's counsel that a settlement agreement and joint motion to dismiss had been mailed to Mr. Dunn and that, upon his receipt of the settlement agreement, the parties were modifying the agreement to further address Mr. Dunn's concerns.
- (8) During July 2008 both parties informed the attorney examiner that a settlement agreement would be signed. A signed settlement agreement was filed on August 8, 2008. The settlement agreement stated that the parties had resolved all issues and requested that the Commission dismiss the proceeding with prejudice.
- (9) Given the contents of the August 8, 2008, settlement agreement, the Commission will dismiss Mr. Dunn's complaint with prejudice.

It is, therefore,

ORDERED, That the complaint filed by Mr. Dunn be dismissed with prejudice. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



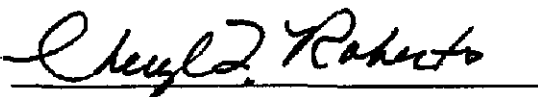
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie



Cheryl L. Roberto

JML:ct

Entered in the Journal

SEP 10 2008



Renee J. Jenkins
Secretary