

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Complaint of
Tami Barcus,

Complainant,

v.

Ohio American Water Company,

Respondent.

Case No. 09-27-WW-CSS

REPLY TO "RESPONSE" OF COMPLAINANT

Ohio American Water Company ("Ohio American") formally responded to the Complaint of Tami Barcus with its Motion to Dismiss and Answer filed on February 3, 2009. On February 9, 2009, however, Ms. Barcus filed a letter responding to Ohio American's Motion to Dismiss and Answer.

It is clear that Ms. Barcus and Ohio American have a difference of opinion regarding the billing requirements applicable for residential water service in the State of Ohio. Ohio American has not violated Ohio law with its billing practices for the simple reason that there is no statute, rule, regulation or order that prevents the consolidation of two residential accounts on a single bill, or disconnection for failure to make timely payments. Ms. Barcus does not challenge the undisputed fact that both properties she owns (144 Garden Street, Marion, Ohio, and 450 Park Street, Marion, Ohio) receive residential water service. Nor does she dispute that she is in arrears in payments to both residences (she did not pay the entire amount attributable to the 450 Park Street address when she made her most recent payment for January 2009). The argument that Ms. Barcus continues to make is that because the residence at 144 Garden Street is being

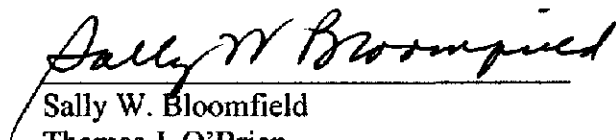
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used as a rental property, it somehow transforms the nature of the service to "commercial." This illogical argument runs counter to Ohio law and common sense. Ohio American has always, and continues to; provide residential service to both of Ms. Barcus' properties.

For the reasons set forth in the original Motion to Dismiss and in the Answer, Ohio American urges the Commission to dismiss the complaint with prejudice.

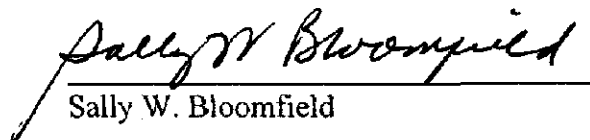
Respectfully submitted on behalf of
OHIO AMERICAN WATER COMPANY



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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Amended Answer of Respondent Ohio American Water Company was served upon the Complainant Tami Barcus at 450 Park Street, Marion, Ohio 43302 via regular U.S. Mail this 20th day of February, 2009.


Sally W. Bloomfield