

THE PUBLIC UTILITIES COMMISSION OF OHIO

Case No. 09-355-GA-CSS

The Attorney Examiner finds:

- (1) On April 27, 2009, Anthony and Grace Incorvia (complainants) filed a complaint with the Commission against East Ohio Gas Company d/b/a Dominion East Ohio (Dominion). In the complaint, the Incorvias state that they moved into the property at 252 Lowrie Boulevard, Northfield, Ohio, in April 2002. The complainants state that they have experienced multiple gas leaks at the property which caused them to replace appliances and replace the gas lines in the house at their expense. Further, the Incorvias argue that the gas leaks and carbon dioxide in and around their home made them sick and caused them to incur excessive medical expenses. The complainants also argue that Dominion has refused to place the complainants on the Percentage of Income Payment Plan (PIPP).
- (2) On May 14, 2009, Dominion filed its answer to the complaint. In its answer, Dominion affirms that the company replaced the meter at the Incorvias' home on September 27, 2004. Dominion further states that in accordance with all applicable laws, the company determined the complainants' eligibility for PIPP and connected or disconnected the Incorvias' utility service. Further, Dominion denies, for lack of knowledge, each of the remaining claims made in the complaint.


- (3) A settlement conference in this matter was held on June 23, 2009. However, the Incorvias and Dominion were unable to reach a mutually agreeable resolution of the complaint at that time but agreed to continue to attempt a resolution of the dispute.
- (4) Nonetheless, this matter should be scheduled for a hearing. As the parties agreed at the conference, a hearing in this matter should be scheduled to commence on August 11, 2009, at 11:00 a.m., at the offices of the Commission, 180 East Broad Street, Hearing Room 11-G, Columbus, Ohio 43215-3793. Should the parties reach a mutually agreeable resolution of this matter before the hearing date, the complainants and/or counsel for Dominion should contact the Attorney Examiner.
- (5) In Commission proceedings, the complainant has the burden of proving the allegations made in the complaint. Thus, at the hearing it shall be the Incorvias' responsibility to appear and be prepared to present evidence in support of the complaint. Should the Incorvias fail to appear, the Attorney Examiner may recommend to the Commission that this case be dismissed.

It is, therefore,

ORDERED, That a hearing in this matter is scheduled for August 11, 2009, at 11:00 a.m., at the offices of the Commission, 180 East Broad Street, Hearing Room 11-G, Columbus, Ohio. It is, further,

ORDERED, That a copy of this entry be served upon the Incorvias, Dominion and its counsel, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Greta See
Attorney Examiner

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Entered in the Journal

JUN 25 2009



Renee J. Jenkins
Secretary