

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of David	)	
Barrickman,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 09-496-EL-CSS
	)	
The Cleveland Electric Illuminating	)	
Company,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On June 11, 2009, David Barrickman (Mr. Barrickman or complainant) filed a complaint against The Cleveland Electric Illuminating Company (CEI) alleging that the company erred by misdirecting its billing to the complainant's unoccupied rental property, leading to the complainant's oversight, nonpayment of the bill, and disconnection of service.

The complainant explains that in December 2008 a tenant vacated the complainant's rental property. According to Mr. Barrickman, the tenant, in accordance with Mr. Barrickman's practice, instructed CEI to put the service back into the name of Mr. Barrickman. Mr. Barrickman claims that, through error, CEI began directing his residence bill to his rental property. Because of nonpayment, CEI disconnected service to Mr. Barrickman's home. Upon inquiring why CEI disconnected service, Mr. Barrickman discovered that the company had directed his bills to his rental property. Mr. Barrickman alleges that he paid the bill in full upon being informed of the delinquency. For relief, he requests that his security deposit and reconnection fee be refunded immediately. Thus far, the company has refused to issue a refund. Mr. Barrickman believes that CEI should issue a refund because CEI erred by directing his bill to an improper address.

- (2) On July 1, 2009, CEI filed an answer to the complaint. For its answer, CEI admits that it provided service to the complainant's residential and rental property. CEI adds that it disconnected service to both properties for nonpayment for the months of January, February, and March 2009. To restore service to both properties, CEI alleges that the complainant paid \$716.61 in back charges, a \$142 security deposit, and a \$9 reconnection fee on or about April 22, 2009.

CEI denies that it has acted inconsistently with any statute, regulation, tariff provision, or other applicable authority with respect to disconnection of service at the complainant's properties. Consequently, CEI denies that the complainant is entitled to a refund or return of the security deposit or reconnection fee. Overall, CEI contends that the complaint fails to state reasonable grounds and should be dismissed.

- (3) This matter should be scheduled for a conference to determine whether this matter can be resolved informally. An attorney examiner from the Commission's legal department shall mediate the conference. The conference shall take place on Thursday, October 29, 2009, at 1:30 p.m. in Room 1246, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. The parties should have available to them at the conference any relevant documents.

It is, therefore,

ORDERED, That, in accordance with Finding (3), a settlement conference is scheduled to take place on Thursday, October 29, 2009, at 1:30 p.m. in Room 1246, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

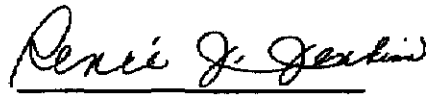
ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: L. Douglas Jennings  
Attorney Examiner

grf  
/vrm

Entered in the Journal  
SEP 29 2009



Renee J. Jenkins  
Secretary