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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

CHARLES F. CARR,

Complainant,

v.

TOLEDO EDISON COMPANY,

Respondent.

Case No. 09-864-EL-CSS

PUCO

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ANSWER

1. Respondent Toledo Edison Company ("Toledo Edison"), for its Answer to the Complaint of Charles F. Carr ("Complainant");¹

FIRST DEFENSE

2. Admits that Toledo Edison is a public utility, as defined by R.C. 4905.03(A)(4), and is duly organized and existing under the laws of the State of Ohio.

3. Admits that Complainant is a customer of Toledo Edison who takes electric service at 6057 W. Fritchie Road; Port Clinton, Ohio 43452.

4. Admits that Complainant currently takes service under Toledo Edison's General Service – Secondary tariff. Toledo Edison avers that given Complainant's service profile, this tariff is the most advantageous for Complainant. Toledo Edison further avers that Complainant's property at the 6057 W. Fritchie Road address is not eligible for service under Toledo Edison's residential tariff because that property is not a residence.

¹ Although Complainant did not present his allegations in individually-numbered paragraphs, Toledo Edison hereby responds to those allegations in paragraph form. As noted in ¶ 7, any allegation not specifically admitted or denied herein is denied.

5. Admits the bill amounts alleged by Complainant. Toledo Edison avers that the bill increase described by Complainant resulted from a new tariff put into effect on January 23, 2009, pursuant to lawful Commission order in Case No. 07-551-EL-AIR.

6. Denies that Complainant has ever previously informed Toledo Edison of the issue involving the appearance of Mr. Miller's name on Complainant's bill. Toledo Edison avers that it will work with Complainant to resolve this issue.

7. Denies generally any allegation not specifically admitted or denied herein, pursuant to O.A.C. § 4901-9-01(D).

SECOND DEFENSE

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

THIRD DEFENSE

9. Toledo Edison at all times complied with Title 49, Ohio Revised Code; the rules, regulations, and orders of the Commission; and Ohio Edison's tariff.

10. Toledo Edison reserves the right to raise additional defenses as warranted by discovery in this matter.

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

DATED: October 15, 2009

Respectfully submitted,



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(Counsel of Record)

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ATTORNEYS FOR RESPONDENT
TOLEDO EDISON COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was sent by first class U.S. mail,
postage prepaid, to the following person this 15th day of October, 2009:

Charles F. Carr
1388 W. Fremont Road
Port Clinton, Ohio 43452-9178



Grant W. Garber
An Attorney for Respondent