

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

**In the Matter of the Complaint of Leigh
Conti,**

Complainant,

V.

Case No. 09-591-WW-CSS

Ohio American Water Company,

Respondent.

ENTRY

The attorney examiner finds:

- (1) On July 14, 2009, the complainant, Leigh Conti, filed a complaint in this case against the respondent, Ohio American Water Company (Ohio American). The complaint alleges that the respondent is providing inadequate water service to the complainant's home, due to both water quality and longstanding water pressure issues.
- (2) On August 3, 2009, the respondent, through counsel, filed an answer to the complaint.
- (3) A prehearing settlement conference was held in this case on October 29, 2009. Although at that time the parties were unable to resolve the issues raised by the complaint, they continued settlement discussion for an extended period thereafter. It now appears that the parties are at an impasse and will be unlikely to resolve the issues presented on an informal basis.
- (4) The attorney examiner finds that reasonable grounds have been presented in this case for proceeding to hearing under Section 4905.26, Revised Code. Accordingly, an evidentiary hearing should be scheduled to occur on Tuesday, June 15, 2010, at 10:00 a.m., in Room 1247 of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793.

- (5) In Commission complaint proceedings, the complainant has the burden of proving the allegations in the complaint. It shall be the complainant's responsibility to appear at the hearing and to be prepared to present evidence at the hearing in support of his complaint.
- (6) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, which requires that all such testimony to be offered in this type of proceeding be filed and served upon the parties no later than seven days prior to the commencement of the hearing. Accordingly, all direct expert testimony should be filed by Tuesday, June 8, 2010.


It is, therefore,

ORDERED, That a hearing be held in accordance with Finding (4). It is, further,

ORDERED, That any party intending to present direct, expert testimony comply with Finding (6). It is, further,

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

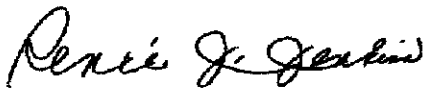
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Daniel E. Fullin
Attorney Examiner

gag/dah

Entered in the Journal

JAN 19 2010



Renee J. Jenkins
Secretary