

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Patsy Naples,)	
)	
Complainant,)	
)	
v.)	Case No. 10-48-EL-CSS
)	
Ohio Edison Company)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On January 15, 2010, Patsy Naples (Ms. Naples) filed a complaint against Ohio Edison Company (Ohio Edison). Ms. Naples alleges that electric service for a residence at 1233 Parkman Road, Warren, Ohio, which had been owned by another party since 1986 and was foreclosed upon in 2005, was placed in her name at the time of the foreclosure. Ms. Naples adds that she was unaware of the foregoing "until they tried to collect when I put electric service in my name at another address." Finally, Ms. Naples contends, "now they are trying to collect again," yet she "never saw a bill, that is why I do not have an account number."
- (2) On February 4, 2010, Ohio Edison filed its answer to the complaint. Ohio Edison admits that Ms. Naples has, at various times over the past six years, been the customer of record at 1233 Parkman Road NW, Warren, Ohio, and, as of September 2009, at 1612 Jackson Street NW, Warren, Ohio. Ohio Edison denies that it improperly transferred billing from 1233 Parkman Road NW to Ms. Naples' 1612 Jackson Street NW account. In explanation, Ohio Edison states that Ms. Naples has been party to a Continuation of Service Contract (CSC) as a landlord, and that under the CSC, Ms. Naples was automatically established as customer of record for 1233 Parkman Road NW when a tenant moved out. Consequently, asserts Ohio Edison, Ms. Naples was charged for service

during June 16, 2004, through May 23, 2005, and from February 10, 2006, through February 28, 2006. Finally, contends Ohio Edison, the transfer of electric service charges to Ms. Naples' 1612 Jackson Street NW account was proper under provisions of Ohio Edison's tariff. Ohio Edison denies any other allegations made by Ms. Naples.

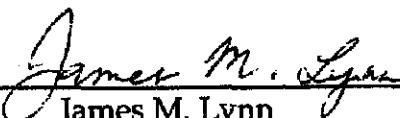
- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. In accordance with Rule 4901-1-26, Ohio Administrative Code, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement discussion. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.
- (4) Accordingly, a settlement conference shall be scheduled for March 24, 2010, at 11:00 A.M., Conference Room 1246, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. The parties should bring all relevant documents to the conference. If it becomes apparent that the parties are not likely to settle this matter, the parties should be prepared to establish a procedural schedule to facilitate the timely and efficient processing of this complaint.
- (5) As is the case in all Commission complaint proceedings, the Complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.* (1966), 5 Ohio St.2d 198.

It is, therefore,

ORDERED, That the matter be scheduled for a settlement conference on March 24, 2010, at 11 a.m., Conference Room 1246, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio. It is, further,

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

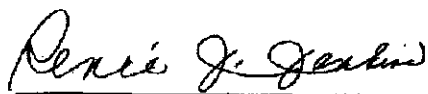
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: James M. Lynn
Attorney Examiner

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Entered in the Journal

MAR 03 2010


Renee J. Jenkins

Renee J. Jenkins
Secretary