

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

PUCO

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ELIZABETH MILENKOVICH,

Complainant,

v.

THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,

Respondent.

Case No. 10-195-EL-CSS

ANSWER OF RESPONDENT
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

Respondent The Cleveland Electric Illuminating Company ("CEI") for its Answer to the Complaint of Elizabeth Milenkovich ("Complainant"):¹

1. Admits that CEI 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.
2. Admits that Complainant is the customer of record at 5851 Pearl Road; Parma Heights, Ohio 44130.
3. Admits that the bills and other documents attached to the Complaint, and Complainant's mathematical analysis of those bills, speak for themselves.
4. With respect to the allegation that "no funds [are] available" to pay Complainant's bills, states that it is without knowledge or information sufficient to form a belief as to the truth of those allegations, and denies those allegations on that basis.

¹ Although Complainant did not present her allegations in individually-numbered paragraphs, CEI hereby responds to those allegations in paragraph form. As noted in ¶ 7, and pursuant to Rule 4901-9-01(D), O.A.C., Respondents hereby deny generally any allegation not specifically admitted or denied herein.

5. Admits that statements appearing on the Commission's website speak for themselves.

6. Admits that Complainant has experienced an increase in the amount of her bills over the past year, but aver that this increase was caused by the elimination of certain discounted all-electric rates formerly charged to Complainant, which were eliminated pursuant to lawful Commission orders in PUCO Case Nos. 07-551-EL-AIR, *et al.* (Op. and Order, Jan. 21, 2009) and 08-935-EL-SSO (Second Op. and Order, Mar. 25, 2009). Respondent further avers that notice of this change was provided to Complainant in a bill insert on or around May 2009.

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

FIRST DEFENSE

8. The Complaint fails to set forth reasonable grounds for a complaint, as Complainant has not alleged that CEI has violated any statute, rule, or tariff provision.

SECOND DEFENSE

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

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

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

DATED: March 8, 2010

Respectfully submitted,



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ATTORNEYS FOR RESPONDENTS THE
CLEVELAND ELECTRIC ILLUMINATING
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 8th day of March, 2010:

Elizabeth Milenkovich
7986 Wright Road
Broadview Heights, Ohio 44147


An Attorney for Respondent