

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

Giovanni DiSiena,)	
)	
Complainant,)	
)	
v.)	Case No. 09-947-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On October 14, 2009, Giovanni DiSiena (complainant) filed a complaint against The Cleveland Electric Illuminating Company (CEI), alleging that his electric bills have recently increased from around \$30 per month to over \$200-\$300 per month. Complainant states that he hired an electrician to inspect his residence, but that the electrician found no problems. CEI filed its answer on October 30, 2009, denying the material allegations of the complaint.
- (2) A settlement conference was held in this matter on December 16, 2009; however, the parties were unable to resolve the matter.
- (3) The attorney examiner finds that reasonable grounds for complaint have been stated. Accordingly, this case should be scheduled for a hearing on May 10, 2010, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.
- (4) All discovery requests should be conducted in accordance with Rules 4901-1-16 to 4901-1-24, Ohio Administrative Code (O.A.C.).
- (5) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), O.A.C., which requires that all such testimony to be offered in this type of proceeding

be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

- (6) 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 189.

It is, therefore,


ORDERED, That a hearing be held as set forth in Finding (3). It is, further,

ORDERED, That discovery be conducted in accordance with Finding (4). It is, further,

ORDERED, That any party intending to present expert testimony comply with Finding (5). It is, further,

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

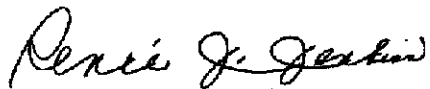
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Henry H. Phillips-Gary
Attorney Examiner

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Entered in the Journal

APR 8 2010



Renee J. Jenkins
Secretary