

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Suzanne	)	
Clemente,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 09-574-WW-CSS
	)	
Aqua Ohio, Inc.,	)	
	)	
Respondent.	)	

ENTRY

The Commission finds:

- (1) On July 8, 2009, Suzanne Clemente (complainant) filed a complaint against Aqua Ohio, Inc. (Aqua). In her complaint, Ms. Clemente alleges that in August 2008 Aqua charged her \$187.67 for the use of 6,700 cubic feet of water for the period June 26, 2008, to July 28, 2008. She alleged that the bill was approximately six times greater than her normal water bill. By contrast, she notes that for two months she received two bills where water consumption was zero cubic feet. She further alleged that she did not receive a satisfactory explanation for the billing inconsistency from Aqua.

For relief, Ms. Clemente requested an accurate bill, that the Commission investigate Aqua's billing practices, that the Commission enforce Aqua's compliance with accurate billing practices, and that the Commission order the removal of all late charges from her bill.

- (2) On July 21, 2009, the Office of the Ohio Consumers' Counsel (OCC) filed a motion to intervene. The OCC based its motion to intervene on its authority to represent residential utility customers pursuant to Section 4911, Revised Code, and Section 4903.221, Revised Code.
- (3) Aqua did not file a memorandum contra OCC's motion to intervene.

- (4) On March 2, 2010, Aqua filed a pleading pursuant to Rule 4901-9-01(F), Ohio Administrative Code (O.A.C.), advising the Commission that the issues raised in the complaint have been resolved to the satisfaction of the parties.
- (5) Rule 4901-9-01(F), O.A.C., provides that if a utility asserts that a complaint has been satisfied the complainant has 20 days to file a response. If no response is filed within 20 days the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint. More than 20 days have passed since Aqua filed its notice of satisfaction and settlement. Because the complainant has not filed a response, the Commission shall presume that the complaint has been settled to the satisfaction of the parties. The complaint should, therefore, be dismissed.
- (6) The OCC's motion to intervene should be denied. Pursuant to Rule 4901-9-01(F), O.A.C., we assume that the complaint has been satisfied and should be dismissed. Consequently, there is no longer a basis for intervention.


It is, therefore,

ORDERED, That, pursuant to Rule 4901-9-01(F), O.A.C., the complaint is dismissed.  
It is, further,

ORDERED, That, in accordance with Finding (6), the OCC's motion to intervene is denied. It is, further,

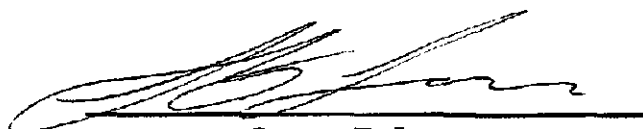
ORDERED, That a copy of this entry be served upon the parties, counsel, the OCC, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Paul A. Centolella

  
Valerie A. Lemmie

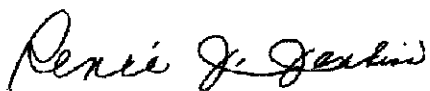
  
Steven D. Lesser

  
Cheryl L. Roberto

LDJ/vrm

Entered in the Journal

**APR 28 2010**



Renee J. Jenkins  
Secretary