

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Michael K. Smith,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 10-919-EL-CSS
	)	
Duke Energy Ohio, Inc.	)	
	)	
Respondent.	)	

ENTRY

The Commission finds:

- (1) On July 1, 2010, Michael K. Smith (complainant) filed a complaint against Duke Energy Ohio, Inc. (Duke) to contest a billing adjustment by Duke. Mr. Smith alleged that Duke rebilled him for unmetered electric service. Through a copy of the respondent's letter attached to the complaint, Mr. Smith explains that a meter malfunctioned and failed to register the his electricity consumption. He alleges that Duke recalculated his bill for the period July 16, 2009, to February 2, 2010, and issued a \$1,583.42 billing adjustment. Mr. Smith rejects Duke's ability to rebill because Duke was at fault. Moreover, Mr. Smith claims that Duke failed to adhere to provisions of the Ohio Revised Code and the Ohio Administrative Code.
- (2) On July 20, 2010, Duke filed an answer to the complaint. For its answer, Duke denied all allegations of the complaint and asserted several affirmative defenses.
- (3) On August 9, 2010, the parties filed a joint motion to dismiss the complaint. The parties explain that they have resolved all issues raised by the complaint and that they have reached a mutually satisfactory settlement. The parties, therefore, request that the Commission dismiss the complaint with prejudice.
- (4) Being advised that the parties have reached a mutually satisfactory settlement and that they have resolved the issues raised by the complaint, the Commission concludes that the

parties' request to dismiss the complaint with prejudice should be granted.

It is, therefore,

ORDERED, That, pursuant to the joint request of the parties, the complaint filed in this matter be dismissed with prejudice. It is, further,

ORDERED, That a copy of this entry be served upon the complainant, Michael K. Smith, Duke and its counsel, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

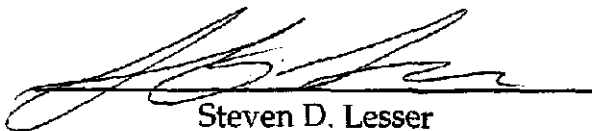


Alan R. Schriber, Chairman

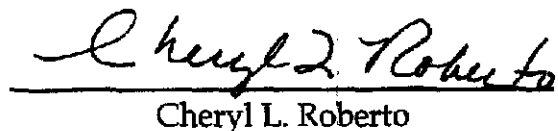


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Entered in the Journal

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Renee J. Jenkins  
Secretary