

FILE



**Bricker & Eckler**  
ATTORNEYS AT LAW

COLUMBUS | CLEVELAND  
CINCINNATI-DAYTON

**BRICKER & ECKLER LLP**  
100 South Third Street  
Columbus, Ohio 43215-4291  
MAIN: 614.227.2300  
FAX: 614.227.2390

www.bricker.com  
info@bricker.com

Sally W. Bloomfield  
614.227.2368  
sbloomfield@bricker.com

September 24, 2010

Jay Agranoff  
Attorney Examiner  
Public Utilities Commission of Ohio  
18- East Broad Street, 12<sup>th</sup> Floor  
Columbus, OH 43215

Re: Complaint of NSCO against Ohio American Water Company  
Case No. 10-1400-WS-CSS

Dear Mr. Agranoff:

This letter is being written to state that Ohio American desires the opportunity to respond to the stay requested in the Complaint referred to above which was filed on September 21, 2010. So that the Commission will not feel compelled to address the stay due to the expiration of the termination notice period and thus the trigger for a disconnection, Ohio American agrees that it will hold any shut off in abeyance at the Chatterton Apartments that are the subject of the Complaint until the Commission has an opportunity to review the pleadings addressing the stay to rule on it.

Ohio American urges the Commission to decide the issue on the stay as promptly as possible, once the pleading cycle on the issue has been completed.

Furthermore, it should be noted that there has never been a disputed bill requested at any time since NSCO took over the account in April 2010 or indeed since November 2009 when NSCO claims that it purchased the apartment complex. Moreover, since April 2010, NSCO has made only one payment of \$5,000 amount which is less than a monthly bill. Moreover, it should be clear that the stay requested stems from a past due amount of \$31,944.42 and since that time, more bills have been rendered.

If the Commission even considers a stay, it should be NOT be applicable to amounts subsequent to the bill of June 24, 2010, showing a balance \$31,944.42 (includes late charges due after July 26<sup>th</sup>) and NSCO should be admonished to pay bills for water and sewer service rendered from the meter reading date of June 21, 2010 forward (the meter reading date for the June 24<sup>th</sup> bill).

This is to certify that the images appearing are an  
accurate and complete reproduction of a case file  
document delivered in the regular course of business  
technician RR Date Processed 9-27-2010

2  
RECEIVED-DOCKETING DIV  
2010 SEP 24 PM 5:19

PUCO

Ohio American will be filing a pleading response to the request for a stay and an answer to the Complaint promptly.

Sincerely,

A handwritten signature in cursive script, reading "Sally W. Bloomfield".

Sally W. Bloomfield

Cc: Richard D. Palmer