

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Robert Houghton,)	
)	
Complainant,)	
)	Case No. 10-798-EL-CSS
v.)	
)	
Ohio Power Company,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On June 9, 2010, Robert Houghton (complainant) filed a complaint against Ohio Power Company (OP), a subsidiary of American Electric Power, requesting that OP be prevented from removing trees from complainant's back yard.
- (2) On June 29, 2010, OP filed an answer denying the material allegations of the complaint and a motion to dismiss.
- (3) On September 28, 2010, OP filed a request to dismiss, stating that the parties had reached a mutual agreement to resolve the issues raised in the complaint. In the request, OP included a statement advising complainant that, if he disagreed with the representation that the parties had resolved the dispute, he had twenty days to file a response or else the complaint would be dismissed.
- (4) Rule 4901-9-01(F), Ohio Administrative Code (O.A.C.), states that, when a utility makes a filing that asserts that a complaint has been settled, the complainant has twenty days to file a written response, indicating whether the complainant agrees or disagrees with the utility's assertions and whether the complainant wishes to pursue the complaint. Rule 4901-9-01(F), O.A.C., also provides that, if no response is filed within the prescribed period of time, the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint. In addition, the rule requires that the utility's filing

include a statement notifying the complainant about the twenty day response period and informing the complainant that the complaint may be dismissed if no response is filed.

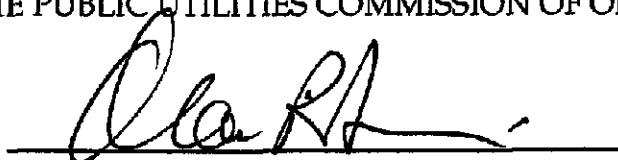
- (5) The complainant in this case has filed no response to OP's request to dismiss. Therefore, the Commission presumes that the case is settled and that, in light of the resolution of the complaint, this case should be dismissed.

It is, therefore,

ORDERED, That Case No. 10-798-EL-CSS be dismissed. It is, further,

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

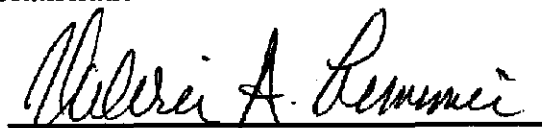
THE PUBLIC UTILITIES COMMISSION OF OHIO



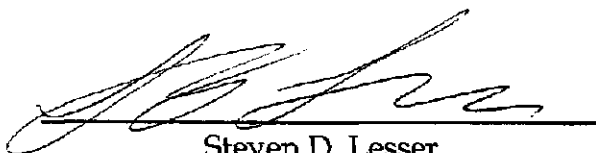
Alan R. Schriber, Chairman



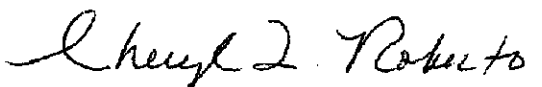
Paul A. Centolella



Valerie A. Lemmie



Steven D. Lesser



Cheryl L. Roberto

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Entered in the Journal

NOV 03 2010



Renee J. Jenkins
Secretary