

**FirstEnergy**76 South Main Street  
Akron, Ohio 44308Carrie M. Dunn  
Attorney330-761-2352  
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January 3, 2011

**Via Federal Express  
and Facsimile (614-466-0313)**Ms. Renee J. Jenkins  
Director, Administration Department  
Secretary to the Commission  
Docketing Division  
The Public Utilities Commission of Ohio  
180 Broad Street  
Columbus, OH 43215-3793RECEIVED-DOCKETING DIV  
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PUCO

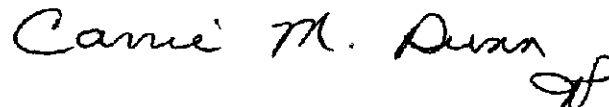
Dear Ms. Jenkins:

**Re: Answer of Ohio Edison Company  
Case No. 10-3019-EL-CSS**

Enclosed for filing, please find the original and twelve (12) copies of the *Answer of Ohio Edison Company* regarding the above-referenced case. Please file the enclosed *Answer*, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,



Carrie M. Dunn

CMD/jhp  
Enclosures  
cc: Parties of Record

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BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO

Tim Remlinger	)	
	)	
Complainant,	)	
	)	
vs.	)	Case No. 10-3019-EL-CSS
	)	
Ohio Edison Company	)	
	)	
Respondent.	)	

**ANSWER OF  
OHIO EDISON COMPANY**

Respondent, Ohio Edison Company ("Ohio Edison) for its Answer to the Complaint of Tim Remlinger ("Complainant"):<sup>1</sup>

1. Admits that Ohio Edison is a public utility, as defined by O.R.C. §4905.03(A)(4) and is duly organized and existing under the laws of the State of Ohio.

2. Admits that Complainant is the customer of record for residential service at 1315 N. Shore Road, Middle Bass, Ohio 43446 ("Property").

In response to the first document attached to the Formal Complaint Form dated 12/13/10, Ohio Edison responds as follows:

3. Denies for want of knowledge any facts relating to the improvements on the Property and what Complainant noticed during those repairs.

4. Denies that a meter reader stated that "they were responsible for up to the house."

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<sup>1</sup> Although Complainant does not present his allegations in individually-numbered paragraphs, Ohio Edison hereby responds to those allegations in paragraph form. Pursuant to Rule 4901-9-01(D), O.A.C., Ohio Edison hereby denies generally any allegation not specifically admitted or denied herein.

5. Admits that Ohio Edison dispatched a troubleman to the Property to investigate the Complainant's report of problems with the electricity at the Property.

6. Denies for want of knowledge that Complainant "had a refridge full of rotten food."

7. Admits that Ohio Edison sent a claim denial letter dated November 4, 2010 regarding disruption of service due to repairs on Catawba Circuit 2055. The November 4, 2010 letter is the second and third page attached to the Formal Complaint Form and speaks for itself.

8. Admits that Ohio Edison re-evaluated Complainant's claim for lost food and denied said claim because the electricity was disconnected from the Property due to a hazardous condition that jeopardized the health and safety of the public. Ohio Edison's November 17, 2010 response to Complainant's claim is attached as the fifth and sixth pages to the Formal Complaint Form and speaks for itself.

9. Denies the remaining allegations in Complainant's Complaint.

10. Denies that it is liable for any alleged damages.

#### **FIRST DEFENSE**

11. The Complaint fails to set forth reasonable grounds for a complaint, as Complainant has not alleged that Ohio Edison has violated any statute, rule, or tariff provision.

#### **SECOND DEFENSE**

12. Ohio Edison has at all times acted in accordance with its Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.

### **THIRD DEFENSE**

13. Ohio Edison is not liable for any alleged damages to Complainant's property pursuant to its O.A.C. § 4901:1-18-03.

### **FOURTH DEFENSE**

14. The PUCO lacks subject matter jurisdiction over the Complaint.

15. Ohio Edison reserves the right to raise additional defenses as warranted by discovery in this matter.

WHEREFORE, having fully answered the Complaint, Respondent, Ohio Edison Company, respectfully requests that the instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,



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Carrie M. Dunn (#0076952)

Attorney

FirstEnergy Service Company

76 South Main Street

Akron, Ohio 44308

Phone: 330-761-2352

Fax: 330-384-3875

On behalf of Ohio Edison Company

**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that a copy of the foregoing Answer of Ohio Edison Company was served by regular U.S. Mail, postage prepaid, upon Tim Remlinger, P.O. Box 20646, Columbus, Ohio 43220

A handwritten signature in black ink, appearing to read "Carrie M. Dunn", written over a horizontal line.

Carrie M. Dunn  
Attorney