

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of  
Gerald Giesler,

Complainant,

v.

Toledo Edison Company,

Respondent.

Case No. 07-498-EL-CSS

In the Matter of the Complaint of  
Lester L. Lemke,

Complainant,

v.

Toledo Edison Company,

Respondent.

Case No. 07-514-EL-CSS

In the Matter of the Complaint of  
Brian A. and Christy G. Malott,

Complainant,

v.

Ohio Edison Company,

Respondent.

Case No. 07-525-EL-CSS

ENTRY

The Commission finds:

- (1) On April 27, 2007, Gerald Giesler filed a complaint against Toledo Edison Company (TE) regarding the interconnection of his wind turbine with TE's system and TE's net-metering billing practices.
- (2) On April 30, 2007, Lester J. Lemke filed a complaint against TE regarding the interconnection of his wind turbine with TE's system and TE's net-metering billing practices.
- (3) On May 1, 2007, Brian A. and Christy Malott filed a complaint against Ohio Edison Company (OE) regarding the interconnection of their wind turbine with OE's system and OE's net-metering billing practices.
- (4) By entries dated January 23, 2009, the attorney examiner scheduled these cases for hearing. Subsequently, the parties requested continuances of the hearings in order to allow time for further settlement discussion regarding the issues raised by the complaint. A status report regarding the settlement discussions was provided to the attorney examiner on May 4, 2009.
- (5) On July 14, 2009, the Ohio Consumers' Counsel (OCC) filed a motion to consolidate these cases, a motion for a prehearing conference and a motion for a procedural schedule, including a hearing date. Subsequently, by entry dated August 20, 2009, the attorney examiner consolidated the cases and set the matter for hearing on October 21, 2009. However, on October 20, 2009, the Respondents filed a motion for a continuance, indicating that amicable resolutions of each case had been reached.
- (6) Subsequently, on April 20, 2010, a joint motion to dismiss was filed by TE and Complainant Lemke in Case No. 07-514-EL-CSS. Further, on June 8, 2010, a joint motion to dismiss was filed by TE and Complainant Giesler in Case No. 07-498-EL-CSS. Finally, a joint motion to dismiss was filed in Case No. 07-525-EL-CSS by OE and Complainant Malotts on September 16, 2010.
- (7) Accordingly, the Commission finds that the joint motions to dismiss the complaints, with prejudice, are reasonable and should be granted and that the complaints should be dismissed.

It is, therefore,

ORDERED, That joint motions to dismiss the complaints, with prejudice, be granted and that the complaints be dismissed. It is, further,

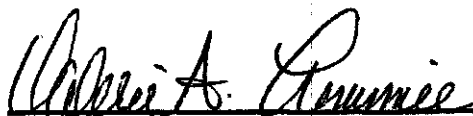
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

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Todd A. Snitchler, Chairman

  
Paul A. Centolella

  
Valerie A. Lemmie

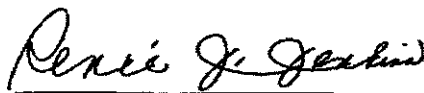
  
Steven D. Lesser

  
Cheryl L. Roberto

GAP/sc

Entered in the Journal

**MAR 09 2011**



Renee J. Jenkins  
Secretary