

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of W.	)	
Hobart Pullins,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 09-1983-EL-CSS
	)	
Ohio Edison Company,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On December 22, 2009, W. Hobart Pullins (complainant) filed a complaint against Ohio Edison Company (Ohio Edison) in which he denied that he owed certain amounts stated in his bills.
- (2) At a scheduled prehearing conference, the parties were not able to reach a settlement. By entry issued March 8, 2011, the attorney examiner scheduled a hearing for April 28, 2011.
- (3) On April 20, 2011, Ohio Edison filed a motion to continue the hearing. Counsel for Ohio Edison explains that he has made repeated attempts to contact the complainant to discuss settlement. Currently, the complainant's telephone number is disconnected, making communication difficult. Other than a mailing address, Ohio Edison states that it has no other means of contacting the complainant. To allow time to contact the complainant to discuss settlement, Ohio Edison requests a one-month continuance of the hearing. Because of the limited time remaining before the scheduled hearing, Ohio Edison requests an expedited ruling.
- (4) The attorney examiner finds that Ohio Edison's request for continuance is for good cause and should be granted. Accordingly, the hearing in this matter shall be continued to May 25, 2011, at 10:00 a.m. in Hearing Room 11-D at the Commission offices. Taking into consideration the

approaching date of the hearing, Ohio Edison's motion for an expedited ruling should also be granted.

- (5) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), O.A.C., which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.
- (6) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.*, 5 Ohio St. 2d 189 (1996).

It is, therefore,

ORDERED, That Ohio Edison's motion for continuance and request for expedited ruling be granted. It is, further,

ORDERED, That the hearing scheduled for April 28, 2011, be rescheduled for May 25, 2011, at 10:00 a.m. in Hearing Room 11-D at the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That any party intending to present direct, expert testimony comply with Finding (5). It is, further,

ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: *L. Douglas Jennings*  
L. Douglas Jennings  
Attorney Examiner

*vm*  
vm

Entered in the Journal

APR 25 2011

*Betty McCauley*  
Betty McCauley  
Secretary