

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Mary	)	
Ann Morgan,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 10-1073-EL-CSS
	)	
The Cleveland Electric Illuminating	)	
Company,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) By entry issued April 19, 2011, a prehearing settlement teleconference in this case was scheduled to occur at 10:00 a.m., on May 9, 2011. The entry directed the parties to participate in the teleconference at that time by calling the Commission bridge telephone line, at 614-644-1099.
- (2) The teleconference took place as scheduled. However, the complainant failed to call in to the Commission's bridge line at the appointed time. Both the attorney examiner who is assigned as the mediator in this case and counsel for the respondent waited on the bridge line, but the complainant never called. After about twenty minutes, the attorney examiner attempted to call the complainant at the telephone number provided in her complaint. The complainant did not answer, but the call was received by a voice mailbox. However, the prompt provided by the answering service or machine indicated that the mailbox was full. Consequently, the mediator was unable to leave any message for the complainant.
- (3) The attorney examiner finds that a new attempt should be made to schedule the settlement teleconference. Accordingly, a prehearing settlement conference shall occur as a teleconference that will be conducted over the Commission's telephone bridge line on May 24, 2011, at 10:00 a.m. The parties are instructed to participate in the teleconference by calling the Commission's bridge line, namely, 614-644-1099 at 10:00 a.m., on May 24, 2011.

The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Rule 4901-1-26, Ohio Administrative Code, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) If the complainant is unable or unwilling to participate in the scheduled teleconference, she should contact the attorney examiner by phone or in writing to inform him of this. Otherwise, her failure to participate in the teleconference, as scheduled for May 24, 2011, may result in a recommendation by the attorney examiner that the Commission should dismiss this case for lack of sufficient prosecution by the complainant.

It is, therefore,

ORDERED, That a prehearing settlement conference is hereby scheduled to occur as a teleconference that will be conducted over the Commission's telephone bridge line. The parties are instructed to participate in the teleconference by calling the Commission's bridge line, namely, 614-644-1099, at 10:00 a.m., on May 24, 2011. It is, further,

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

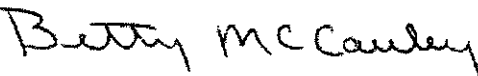
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Daniel E. Fullin  
Attorney Examiner

/dah  


Entered in the Journal

**MAY 12 2011**

  
Betty McCauley  
Secretary