

FILE

11-3657-EL-CSS

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July 7, 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 The Cleveland Electric Illuminating Company
and FirstEnergy Solutions
Case No. 11-3657-EL-CSS**

Enclosed for filing, please find the original and twelve (12) copies of the *Answer of The Cleveland Electric Illuminating Company and FirstEnergy Solutions* 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

Michael L. Schroeder)	
Jeanne Schroeder)	
)	
Complainant,)	
)	
vs.)	Case No. 11-3657-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company and FirstEnergy Solutions Corp.)	
)	
Respondent.)	

**ANSWER OF
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY AND FIRSTENERGY
SOLUTIONS CORP.**

The Cleveland Electric Illuminating Company and FirstEnergy Solutions Corp. (collectively "Respondents"), by counsel, for its Answer to the Complaint states as follows:

1. The Cleveland Electric Illuminating Company ("CEI") is a public utility, as defined by §4905.03(A)(4), O.R.C. and is duly organized and existing under the laws of the State of Ohio.

2. FirstEnergy Solutions Corp. ("FES") is an electric services company as defined by §4928.01(A)(9), O.R.C. is certified by the Commission to provide competitive retail electric service pursuant to §4928.01, O.R.C. and the Commission's related rules, and is duly organized and existing under the laws of the State of Ohio.

3. While the Complaint consists of two unnumbered pages, Respondents will attempt to specifically answer the different allegations within the Complaint.

4. Respondents admit that on January 31, 2011, CEI received a call to inspect Complainant's service. CEI sent a crew to inspect Complainant's service and did not find any problems or issues with the service.

5. Respondents deny the allegations that the "line was sparking" and deny the allegation that "a week or more later the line was seen still sparking."

6. Respondents admit that on March 15, 2011, a primary line owned by CEI in the vicinity of Complainant's service address had fallen and burned. CEI made repairs to the line and conductor.

7. Respondents deny that the allegation that the line sent "7,000 volts into the house, this destroyed the dish net work receiver, 1 microwave, 2 televisions, 1 amish fireplace."

8. Respondents deny the allegation that "the problem at the pole had not been repaired."

9. Respondents deny that it is liable for any alleged damages to Complainant's property.

10. Respondents generally deny all allegations set forth in the Complaint that were not otherwise specifically addressed hereinabove.

For its affirmative defenses, Respondents further aver that:

11. Respondents breached no duty owed to Complainant, and Complainant failed to state reasonable grounds upon which its requested relief may be granted.

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

13. Respondents 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.

14. Respondents are not liable for any alleged damages to Complainant's property pursuant to its Tariff, PUCO No. 11, Section X(B).

15. The Public Utilities Commission of Ohio lacks subject matter jurisdiction over the Complaint.

16. Respondents reserve the right to raise additional defenses as warranted by discovery or otherwise in this matter.

WHEREFORE, having fully answered the Complaint, Respondents, The Cleveland Electric Illuminating Company and FirstEnergy Solutions Corp., respectfully request that the instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,



Carrie M. Dunn (#0076952)
Counsel of Record
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76 South Main Street
Akron, Ohio 44308
Phone: 330-761-2352
Fax: 330-384-3875

On behalf of The Cleveland Electric
Illuminating Company and FirstEnergy
Solutions Corp.

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer of The Cleveland Electric Illuminating Company and FirstEnergy Solutions Corp. was served by regular U.S. Mail, postage prepaid, upon Michael and Jeanne Schroeder, 14110 Watt Road, Novelty, Ohio 44072



Carrie M. Dunn
Attorney