

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Nancy)
E. Russell,)
)
Complainant,)
)
v.) Case No. 11-5876-GA-CSS
)
Columbia Gas of Ohio, Inc.,)
)
Respondent.)

ENTRY

The attorney examiner finds:

- (1) On December 7, 2011, Nancy E. Russell (Ms. Russell) filed a complaint against Columbia Gas of Ohio, Inc. (Columbia). Ms. Russell alleges that on October 11, 2011, she called Columbia regarding the transfer of service to tenants. Ms. Russell adds that the transfer occurred on October 14, 2011, following an actual meter read by Columbia. According to Ms. Russell, Columbia began replacing the gas service line to the residence on October 24, 2011, and she adds that Columbia told her that the gas would be turned on when the line replacement was completed. However, contends Ms. Russell, a gas leak inside the residence prevented the gas from being turned on, and she had to pay a plumber to repair the line and stop the leak. She seeks reimbursement from Columbia for the plumbing fee.
- (2) On December 28, 2011, Columbia answered the complaint by denying that its service was inferior and also denying any of Ms. Russell's remaining allegations.
- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. 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 (O.A.C.), 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 any party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement conference shall be scheduled for February 7, 2012, at 10:00 A.M. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. The parties should bring with them all documents relevant to this matter. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (5) Pursuant to Rule 4901-1-26(F), O.A.C., the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (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.* (1996), 5 Ohio St.2d 189.

It is, therefore,

ORDERED, That a settlement conference be scheduled for February 7, 2012, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. It is, further,

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

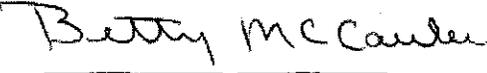
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: James M. Lynn
Attorney Examiner


JLF
V/dah

Entered in the Journal

JAN 05 2012


Betty McCauley
Betty McCauley
Secretary