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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

JACK TEUBNER,

Complainant,

v.

OHIO EDISON COMPANY,

Respondent.

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Case No. 12-0891-EL-CSS

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ANSWER OF RESPONDENT
OHIO EDISON COMPANY

Respondent Ohio Edison Company ("Ohio Edison"), for its Answer to the Complaint filed by Jack Teubner ("Complainant"), states:¹

1. In response to the first unnumbered paragraph of the Complaint, Ohio Edison admits that Complainant is the Ohio Edison customer of record for residential service at 5516 Catmere Drive, Medina, Ohio 44256 (the "Property"). Ohio Edison further admits that it is a wholly owned electric utility subsidiary of FirstEnergy Corp. Ohio Edison denies that it has committed fraud, that it improperly billed Complainant, and that it is part of a "legalized monopoly." (See Compl. ¶ 1.) Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the first unnumbered paragraph of the Complaint.

2. In response to the second unnumbered paragraph of the Complaint, Ohio Edison admits that Complainant has been charged for electric service pursuant to applicable Ohio

¹ Although Complainant did not present his allegations in individually-numbered paragraphs, Ohio Edison hereby responds to those allegations in paragraph form. As noted in ¶ 16, and pursuant to Rule 4901-9-01(D), Ohio Administrative Code, Ohio Edison hereby denies generally any allegation not specifically admitted or denied herein.

Edison tariffs since he began receiving electric service from Ohio Edison on or around December 12, 2007. Ohio Edison avers that energy charges under Ohio Edison's tariff were increased to 3.1898 cents per kilowatt hour for residential customers effective January 23, 2009. Ohio Edison further admits that Complainant's Ohio Edison bills during this same approximate time period four years ago averaged around \$150. Ohio Edison avers that Complainant's bills were \$154.47 in March 2008, \$150.21 in April 2008, and \$145.89 in May 2008. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the second unnumbered paragraph of the Complaint.

3. In response to the third unnumbered paragraph of the Complaint, Ohio Edison denies that Complainant's Ohio Edison bills were \$70-\$200 higher than average in the fall of 2010. Ohio Edison avers that Complainant's bills were \$117.69 for September 2010, \$114.23 for October 2010, and \$141.05 for November 2010. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the third unnumbered paragraph of the Complaint.

4. In response to the fourth unnumbered paragraph of the Complaint:

- a. Ohio Edison denies that Complainant contacted Ohio Edison to request a meter test and that a new meter was installed at the Property in the fall of 2010. Ohio Edison avers that the meter at the Property has been replaced once while Complainant has been the customer of record and that the replacement occurred on or around February 26, 2008.
- b. Ohio Edison denies that Complainant was improperly billed and that Complainant's billing went from \$365 per month to \$155 per month in the fall and early winter of 2010. Ohio Edison avers that Complainant's bills were

\$117.69 for September 2010, \$114.23 for October 2010, \$141.05 for November 2010, and \$186.90 for December 2010.

- c. Ohio Edison denies that it sent Complainant a letter reflecting the results of a meter test in the fall or early winter of 2010. Ohio Edison avers that, on or around March 13, 2008, a letter was sent to Complainant indicating that the meter that was removed from the Property on or around February 26, 2008, was functioning at an average accuracy of 100.10 percent, well within the +/- 2% accuracy standard adopted by the Commission in Rule 4901:1-10-05(B).
- d. Ohio Edison admits that Complainant paid his Ohio Edison bills in the fall and early winter of 2010. Ohio Edison avers that Complainant's September, October, November, and December 2010 bills were paid in their entirety.
- e. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the fourth unnumbered paragraph of the Complaint.

5. In response to the fifth unnumbered paragraph of the Complaint, Ohio Edison denies that it improperly billed Complainant in December 2011. Ohio Edison admits that Complainant's bill that month was \$360.67. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the fifth unnumbered paragraph of the Complaint.

6. In response to the sixth unnumbered paragraph of the Complaint, Ohio Edison denies that Complainant called its customer service contact center on December 12, 2011. Ohio Edison avers that Complainant called the contact center on or around December 8, 2011, to

discuss his \$360.67 December 2011 bill and the meter at the Property. Ohio Edison further avers that Complainant was offered a meter test, but Complainant declined the test. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the sixth unnumbered paragraph of the Complaint.

7. In response to the seventh unnumbered paragraph of the Complaint, Ohio Edison admits that a customer service contact center employee asked Complainant to read his meter and relay the results by telephone on or around December 8, 2011. Ohio Edison further admits that it offered Complainant a meter test, but Complainant declined the test. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the seventh unnumbered paragraph of the Complaint.

8. In response to the eighth unnumbered paragraph of the Complaint, Ohio Edison admits that Complainant contacted the Commission on or around December 30, 2011. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the eighth unnumbered paragraph of the Complaint.

9. In response to the ninth unnumbered paragraph of the Complaint, Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the allegations in the ninth unnumbered paragraph of the Complaint.

10. In response to the tenth unnumbered paragraph of the Complaint, Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the allegations in the tenth unnumbered paragraph of the Complaint.

11. In response to the eleventh unnumbered paragraph, of the Complaint Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the allegations in the eleventh unnumbered paragraph of the Complaint.

12. In response to the twelfth unnumbered paragraph of the Complaint, Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the allegations in the twelfth unnumbered paragraph of the Complaint.

13. In response to the thirteenth unnumbered paragraph of the Complaint, Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the allegations in the thirteenth unnumbered paragraph of the Complaint.

14. In response to the fourteenth unnumbered paragraph of the Complaint, Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the allegations in the fourteenth unnumbered paragraph of the Complaint.

15. In response to the fifteenth unnumbered paragraph of the Complaint, Ohio Edison denies that it improperly billed Complainant. Ohio Edison admits that Complainant filed a Complaint with the Commission dated March 7, 2012, and file-stamped March 8, 2012. Ohio Edison states that it is without knowledge or information sufficient to form a belief as to the remaining allegations in the fifteenth unnumbered paragraph of the Complaint.

16. Ohio Edison denies generally any allegation not specifically admitted or denied herein, pursuant to Rule 4901-9-01(D), Ohio Administrative Code.

FIRST DEFENSE

17. The Complaint fails to set forth reasonable grounds for complaint.

SECOND DEFENSE

18. Ohio Edison at all times has complied with Title 49, Ohio Revised Code; the rules, regulations, and orders of the Commission; and Ohio Edison's tariff.

19. Ohio Edison reserves the right to raise additional defenses as warranted by discovery in this matter.

WHEREFORE, Ohio Edison respectfully requests an Order dismissing the Complaint and granting Ohio Edison all other necessary and proper relief.

DATED: March 29, 2012

Respectfully submitted,

Allison E. Haedt

Allison E. Haedt (0082243)

(Counsel of Record)

JONES DAY

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ATTORNEYS FOR RESPONDENT
OHIO EDISON COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was sent by first class U.S. mail, postage prepaid, to the following person this 29th day of March, 2012:

Jack Teubner
5516 Catmere Dr.
Medina, OH 44256

Allison E. Haedt
Allison E. Haedt
An Attorney for Respondent