

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Judy Alexander,)	
)	
Complainant,)	
)	
v.)	Case No. 11-5601-GA-CSS
)	
The East Ohio Gas Company)	
d/b/a Dominion East Ohio,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On November 2, 2011, Judy Alexander (complainant) filed a complaint against The East Ohio Gas Company d/b/a Dominion East Ohio (DEO), alleging that the amounts of complainant's bills for February, March, and April 2011, are incorrect for properties located at 8207 and 8209 Beman Avenue, Cleveland, Ohio (downstairs unit and upstairs unit, respectively). Complainant asserts that she called DEO to have gas service to both the downstairs unit and the upstairs unit placed in her name in November 2010. Complainant further avers that there is no heat in the upstairs unit, which is still in the process of being completed, and, accordingly, complainant disputes the billed amounts.
- (2) On November 23, 2011, DEO filed an answer to the complaint. In its answer, DEO admits that complainant is a customer of record for both the downstairs unit and the upstairs unit. DEO also admits that complainant called DEO to establish gas service at the downstairs unit in November 2010 and that DEO is not currently providing service to the upstairs unit. DEO states that it generally denies any allegation not specifically admitted in its answer. DEO asserts that complainant has failed to state reasonable grounds for complaint. DEO further asserts that it has complied with all applicable rules, regulations, and tariffs. Additionally, DEO argues that it has properly billed complainant for all service at the downstairs unit and the upstairs unit, and disconnected service at

complainant's request on May 5, 2011. DEO concludes that the complaint should be dismissed.

- (3) By entry issued on February 28, 2012, this matter was set for hearing on April 24, 2012.
- (4) By entry issued on April 16, 2012, the attorney examiner granted DEO's motion to compel discovery and directed complainant to allow DEO access to its gas meters for the downstairs unit and the upstairs unit by April 23, 2012, for the purpose of inspecting, measuring, and testing such meters. Additionally, the attorney examiner granted DEO's request to continue the hearing until May 8, 2012.
- (5) On April 24, 2012, DEO filed a motion to dismiss the complaint and request for expedited ruling. In its motion, DEO noted that complainant failed to comply with the April 16, 2012, entry compelling access to DEO's meters.
- (6) By entry issued on May 4, 2012, the attorney examiner found that complainant should be given a final opportunity to provide DEO access to its meters. Complainant was directed to allow DEO access to its meters for the downstairs unit and the upstairs unit by May 14, 2012, for the purpose of inspecting, measuring, and testing such meters. Further, the attorney examiner found that the May 8, 2012, hearing, should be held in abeyance in light of the circumstances of the case.
- (7) On May 15, 2012, DEO filed a letter indicating that it was given access to its meters for the downstairs unit and the upstairs unit by May 14, 2012, for the purpose of inspecting, measuring, and testing such meters.
- (8) Accordingly, the attorney examiner finds that this matter should be scheduled for hearing on June 14, 2012, at 10:00 a.m., in Hearing Room 11-D, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (9) Any party intending to present direct expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, 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.

- (10) 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 hearing be scheduled for June 14, 2012, at 10:00 a.m., in Hearing Room 11-D, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

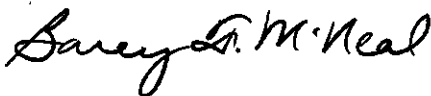
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Sarah J. Parrot
Attorney Examiner

GRG/sc

Entered in the Journal
MAY 21 2012


Barcy F. McNeal
Secretary