

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Carla Belcher,)	
)	
Complainant,)	
)	
v.)	Case No. 12-1885-EL-CSS
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On June 21, 2012, Carla Belcher (Ms. Belcher) filed a complaint against Duke Energy Ohio, Inc. (Duke). Ms. Belcher contends that in mid-March 2012 she noticed voltage fluctuations in her home. She adds that she reported this to Duke, and subsequently several technicians visited her home to investigate, but could not find the source of the problem.

Ms. Belcher states that she reported voltage fluctuations again, on April 12, 2012. According to Ms. Belcher, a Duke technician visited her home, determined that Ms. Belcher had "a bad service line and triplex," and recommended that she have her meter and service line changed. Ms. Belcher asserts that the meter was replaced later that same day, but the service line was not changed.

On April 19, 2012, continues Ms. Belcher, a Duke technician performed an "imbalance test" and found voltage fluctuations, but still could not locate the source of the problem. Ms. Belcher reports that one week later, on April 26, 2012, a Duke technician "repaired the neutral" at her home. Despite this, Ms. Belcher asserts, she continued to experience "mild flickering" of anything electrical in her home. Ms. Belcher contends that the fluctuations finally ended on May 2, 2012, when the problem "was finally fixed . . . by switching me to another transformer."

Ms. Belcher closes by stating that she seeks compensation for expenses such as "getting the igniter fixed to my furnace . . . [and] my air conditioner fixed," and replacing various appliances.

- (2) Duke filed its response on July 10, 2012, asserting that it has appropriately responded to all of Ms. Belcher's concerns so that Duke can provide reasonable and adequate service. Duke asserts that it has "tightened connections, changed the meter, switched out the transformer, conducted load imbalance tests, etc."
- (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 August 13, 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.

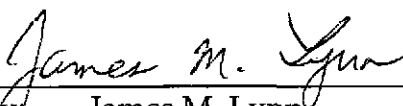
- (6) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.* (1996), 5 Ohio St.2d 189.

It is, therefore,

ORDERED, That a settlement conference be scheduled for August 13, 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


/dah

Entered in the Journal

JUL 12 2012



Barcy F. McNeal
Secretary