

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JOHN A. DENKER)	
)	
Complainant,)	
)	Case No. 12-2170-GA-CSS
v.)	
)	
THE EAST OHIO GAS COMPANY D/B/A)	
DOMINION EAST OHIO,)	
)	
Respondent.)	

ANSWER

Pursuant to Ohio Adm. Code 4901-9-01(D), The East Ohio Gas Company d/b/a Dominion East Ohio (“DEO”), for its answer to the complaint of John A. Denker states:

FIRST DEFENSE

1. DEO admits that it disconnected and reconnected gas to 4783 Hudson Drive, Stow, Ohio 44224, in response to a street repairs order on March 28, 2012.
2. DEO admits that Sandra Laurio called DEO to report an odor of gas. DEO avers that Ms. Laurio made the call late in the evening on April 1, 2012.
3. DEO admits that when it went to Ms. Laurio’s property, it discovered a leak near the meter and tagged it. DEO avers that it disconnected gas due to a leak in the houseline.
4. DEO is without sufficient knowledge or information to admit or deny the allegations concerning Mr. Denker’s communications with Ms. Laurio, Mr. Denker hiring a third party to fix his lines, Mr. Denker’s home being “all-electric,” Mr. Denker’s sewer leak in the basement, and Mr. Denker’s interactions with Kenmore Construction.

5. DEO denies that it is responsible for the leak in Mr. Denker's customer service line and denies that any work it may have performed near Mr. Denker's premises caused any leaks in the customer service line.

6. DEO denies generally any allegation not specifically admitted or denied in this Answer, pursuant to Ohio Adm. Code 4901-9-01(D).

AFFIRMATIVE DEFENSES

SECOND DEFENSE

7. The complaint does not comply with the Commission's rules requiring "a statement which clearly explains the facts." Ohio Adm. Code 4901-9-01(B). The complaint is not in paragraph form, but presented as a narrative, and many of the allegations in the complaint are compound. DEO has attempted, to the best of its ability, to answer the allegations, but reserves the right to amend its answers in the event it has incorrectly understood them.

THIRD DEFENSE

8. The complaint does not contain "a statement of relief sought," as required by Ohio Adm. Code 4901-9-01(B) since Mr. Denker cannot request monetary damages to be awarded in this proceeding.

FOURTH DEFENSE

9. The complaint fails to set forth reasonable grounds for complaint, as required by R.C. 4905.26.

FIFTH DEFENSE

10. The complaint fails to state a claim upon which relief can be granted.

SIXTH DEFENSE

11. DEO at all times complied with Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and DEO's tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Mr. Denker's claims.

SEVENTH DEFENSE

12. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, DEO respectfully requests an Order dismissing the complaint and granting DEO all other necessary and proper relief.

Respectfully submitted,

/s/ Andrew J. Campbell

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ATTORNEYS FOR THE EAST OHIO
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EAST OHIO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by U.S. mail, postage prepaid, to the following person on this 16th day of August, 2012:

John A. Denker
11511 Ravenna Road
Twinsburg, Ohio 44087

/s/ Andrew J. Campbell
One of the Attorneys for The East Ohio Gas
Company d/b/a Dominion East Ohio

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Summary: Answer electronically filed by Mr. Andrew J Campbell on behalf of The East Ohio Gas Company d/b/a Dominion East Ohio