

THE PUBLIC UTILITIES COMMISSION OF OHIO

Case No. 12-2170-GA-CSS

The Commission finds:

- (1) On July 26, 2012, John A. Denker (complainant) filed a complaint against The East Ohio Gas Company d/b/a Dominion East Ohio (DEO). Complainant asserts that, in April 2012, DEO or its subcontractor Kenmore Construction was in the process of moving gas lines near complainant's rental property at 4783 Hudson Drive, Stow, Ohio, as part of a road widening project. Complainant states that, during the course of the work, DEO shut off the gas to the rental property and then turned it back on when the work was completed. Complainant explains that, at that point, his tenant noticed and reported the smell of gas to DEO, which then disconnected the gas service to the property due to a leak near the meter. Complainant alleges that the leak was caused by DEO while it was moving gas lines as part of the road widening project, which occurred right at the meter and near where the leak was found. Complainant further alleges that he was informed by DEO that it was his responsibility to have the leak repaired, at his expense, before DEO would restore gas service to the property. Complainant seeks reimbursement of the expenses incurred in repairing the leak.

- (2) On August 16, 2012, DEO filed an answer to the complaint. In its answer, DEO admits that it disconnected and reconnected the gas service to the property in response to a street repairs order on March 28, 2012, and that it was notified regarding an odor of gas on April 1, 2012. DEO further admits that it discovered a leak near the meter and disconnected the gas service due to a leak in the houseline. DEO, however, denies that it is responsible for the leak in the customer service line and denies that any work it may have performed near the property caused any leak in the customer service line. 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 the complaint does not comply with Rule 4901-9-01(B), Ohio Administrative Code. DEO concludes that the complaint should be dismissed.
- (3) By entry issued on August 17, 2012, the attorney examiner scheduled a settlement conference for September 27, 2012.
- (4) On August 29, 2012, the parties filed a joint motion to dismiss this case with prejudice. In the motion, the parties explain that the matter has been settled and that they have executed a confidential settlement agreement.
- (5) The Commission finds that the parties' joint motion to dismiss the complaint is reasonable, given that they have reached an agreement that resolves the issues raised in the complaint. Accordingly, the joint motion to dismiss the complaint, with prejudice, should be granted and the settlement conference scheduled for September 27, 2012, should be cancelled.

It is, therefore,

ORDERED, That the parties' joint motion to dismiss the complaint, with prejudice, be granted. It is, further,

ORDERED, That Case No. 12-2170-GA-CSS be dismissed with prejudice. It is, further,

ORDERED, That the settlement conference scheduled for September 27, 2012, be cancelled. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

Todd A. Snitchler, Chairman



Steven D. Lesser

Andre T. Porter



Cheryl L. Roberto

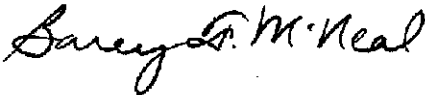


Lynn Slaby

SJP/sc

Entered in the Journal

SEP 12 2012



Barcy F. McNeal
Secretary