

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Tim Carter,)	
)	
Complainant,)	
)	
v.)	Case No. 12-2214-EL-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On August 1, 2012, Tim Carter (Carter) filed a formal complaint against Duke Energy Ohio, Inc. (Duke), alleging that Duke was requiring him to allow them to install a smart meter on his residence or have his service discontinued. Carter further alleged that smart meters violate federal and state wiretapping and surveillance laws, and that he experiences physical symptoms from electromagnetic and radio frequency radiation emitted from smart meters.
- (2) On August 21, 2012, Duke filed its answer denying the allegations of the complaint. Duke asserted that Carter failed to set forth reasonable grounds for a complaint, that Duke has at all relevant times complied with the statutes and rules of the Ohio Revised Code and the Ohio Administrative Code, and that Carter did not request relief that can be granted by the Commission.
- (3) A settlement conference was scheduled in this case for September 27, 2012. On September 27, 2012, Carter failed to attend the settlement conference. Carter was contacted by telephone, and he indicated that he was unsure if he desired to carry this case forward.

- (4) On October 18, 2012, the attorney examiner issued an entry directing Carter to respond to the attorney examiner within 20 days to indicate whether he wishes to proceed with a settlement conference in this case. The entry indicated that if Carter did not respond, the attorney examiner would recommend to the Commission that the complaint be dismissed.
- (5) Because Carter has failed to respond to the attorney examiner's entry, the Commission finds that the complaint should be dismissed.

It is, therefore,

ORDERED, That Case No. 12-2214-EL-CSS be dismissed and closed of record.
It is, further,

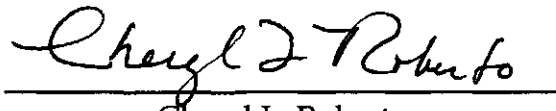
ORDERED, That a copy of this entry be served upon each party of record.


THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


Andre T. Porter

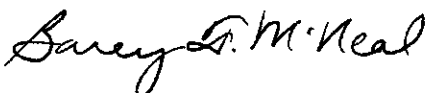

Cheryl L. Roberto


Lynn Slaby

BAM/sc

Entered in the Journal

DEC 12 2012



Barcy F. McNeal
Secretary