

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Mary A. Lowery,)	
)	
Complainant,)	
)	
v.)	Case No. 12-2949-GA-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On November 13, 2012, Mary A. Lowery filed a formal complaint against Duke Energy Ohio, Inc. (Duke) alleging that Duke unjustly charged her a Percentage of Income Payment Plan (PIPP) reinstatement fee. Ms. Lowery alleges that she should never have been removed from PIPP, therefore, she should not be charged for PIPP reinstatement.
- (2) On December 3, 2012, Duke filed an answer to Ms. Lowery's formal complaint denying the allegations contained in the complaint. Duke also asserted multiple affirmative defenses, including that Ms. Lowery failed to set forth reasonable grounds for complaint, that at all times Duke complied with the Ohio Revised Code and Ohio Administrative Code, and that Ms. Lowery has not stated any request for relief that can be granted by the Commission. Duke also requested that the case be dismissed for failure to set forth reasonable grounds for the complaint.
- (3) By entry issued on December 12, 2012, the attorney examiner scheduled a settlement conference in this matter for January 17, 2013.

- (4) On January 15, 2013, Duke filed a notice of pending settlement and request to cancel settlement conference. The notice indicated that the parties have agreed to settle all claims and disputes at issue and are in the process of documenting the settlement. To allow the parties adequate time to document the results of their independent settlement negotiations, the attorney examiner finds that the request is reasonable and should be granted.

It is, therefore,

ORDERED, That the request to cancel the settlement conference is granted in accordance with finding (4). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

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in

Case No(s). 12-2949-GA-CSS

Summary: Attorney Examiner Entry granting the request to cancel the settlement conference. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio