

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Lynne Gwynn,)	
)	
Complainant,)	
)	
v.)	Case No. 13-666-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) By entry issued on April 18, 2013, a prehearing settlement conference in this matter was scheduled for May 1, 2013. On April 22, 2013, counsel for the respondent requested that the prehearing settlement conference be rescheduled because of a schedule conflict.
- (2) The attorney examiner finds that the prehearing settlement conference currently scheduled to occur on May 1, 2013, is, by this entry, rescheduled to occur, instead, on May 29, 2013, at 10:00 a.m., in Conference Room 1246, at the offices of the Commission, 6th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (3) The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint 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 of 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 discussion. However, nothing prohibits either party from engaging in settlement negotiations prior to the scheduled settlement conference.

- (4) Pursuant to Rule 4901-1-26(F), O.A.C., the representatives of the public utility shall investigate the issues raised in 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 requisite authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (5) 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, 214 N.E.2d 666 (1966).

It is, therefore,

ORDERED, That the prehearing settlement conference previously scheduled to occur on May 1, 2013, is rescheduled to occur, instead, on May 29, 2013, at 10:00 a.m., in Conference Room 1246, at the offices of the Commission, 6th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That the directives set out in Finding (4), above, be observed. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

By: Daniel E. Fullin
Attorney Examiner

GAP/sc

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in

Case No(s). 13-0666-EL-CSS

Summary: Attorney Examiner Entry ordered the prehearing conference rescheduled from 05/01/2013 to 05/29/2013 and ordered the directives set out in Finding (4) be observed. - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio