

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Shirley)	
Bailey,)	
)	
Complainant,)	
)	
v.)	Case No. 12-3119-EL-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) The above-referenced complaint was filed on November 30, 2012, and supplemented on February 26, 2013. In the complaint, Shirley Bailey (Ms. Bailey or complainant) alleged unjust and unfair billing practices by Duke Energy Ohio, Inc. (Duke or company). Ms. Bailey indicates in her complaint that she is the pastor of a church and that Duke billed her home account for gas and electric usage by her church at another location. Ms. Bailey further indicates that her church never occupied the premises listed on the billing statement that she received from Duke. Moreover, Ms. Bailey indicates that her church moved out of those premises before the billing date on the billing statement.
- (2) On December 19, 2012, Duke Energy filed an answer denying the allegations in the complaint.
- (3) A settlement conference was held on February 5, 2013; however, the parties were unable to resolve this matter. Further, it appears that reasonable grounds for complaint have been presented.
- (4) Accordingly, a hearing in this matter should be scheduled to begin at 10:00 a.m. on June 26, 2013, in the offices of the Commission, Hearing Room 11-C, 180 East Broad Street, Columbus, Ohio 43215-3793.

- (5) Any party intending to present direct expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing.
- (6) In Commission proceedings, the complainant has the burden of proving the allegations in the complaint. Thus, at hearing, it shall be the complainant's responsibility to appear and be prepared to present evidence in support of the complaint.

It is, therefore,

ORDERED, That a hearing in this matter be scheduled for June 26, 2013, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Kerry K. Sheets

By: Kerry K. Sheets
Attorney Examiner

jrj/vrm

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Commission of Ohio Docketing Information System on

5/10/2013 9:14:14 AM

in

Case No(s). 12-3119-EL-CSS

Summary: Attorney Examiner Entry scheduling a hearing on June 26, 2013, at 10:00 a.m., electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio