

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Robert and Katy Ginsburg,)	
)	
Complainants,)	
)	
v.)	Case No. 13-1334-TR-CSS
)	
Hightower Moving,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On June 5, 2013, Robert and Katy Ginsburg (the Ginsburgs), filed a complaint against Hightower Moving (Hightower). In their complaint, the Ginsburgs allege that Hightower's employees behaved in a rude and unprofessional manner while completing moving services for the Ginsburgs, from Maumee, Ohio, to Kodak, Tennessee, where they now reside. Further, the Ginsburgs contend that they received a quoted price of \$3,000 from Hightower prior to the move, and that Hightower unfairly increased the price by an additional \$1,500 during the move. The Ginsburgs request a refund from Hightower in the amount of \$1,500, as they assert they were overcharged by this amount. Hightower was served with a copy of the complaint.
- (2) Rule 4901-9-01(B), Ohio Administrative Code (O.A.C.), provides that a respondent shall file an answer within 20 days following service of a complaint. Hightower did not file an answer to the Ginsburgs' complaint.
- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. 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, O.A.C., any statements made in an attempt to settle this matter without the need for 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 any party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement conference shall be scheduled for July 23, 2013, at 1:00 p.m. Due to the Ginsburgs relocation, the settlement conference shall take place by telephone. At the scheduled time, the parties may dial-in toll free to (866) 209-2820 and enter conference code 1487311467. If it becomes apparent that the parties are not likely to settle this matter, the parties should be prepared to discuss a procedural schedule to facilitate the timely and efficient processing of this complaint.
- (5) 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.
- (6) 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.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

It is, therefore,

ORDERED, That the matter be scheduled for a telephone settlement conference on July 23, 2013, at 1:00 p.m. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Mandy W. Chiles

By: Mandy Willey Chiles
Attorney Examiner

JRJ/sc

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in

Case No(s). 13-1334-TR-CSS

Summary: Attorney Examiner Entry scheduling a telephone settlement conference for July 23, 2013 at 1:00 p.m. - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio