

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	)	
James and Rene Boyer,	)	
	)	
Complainants,	)	
	)	
v.	)	Case No. 13-1638-GE-CSS
	)	
The Dayton Power and Light	)	
Company,	)	
	)	
Respondent.	)	

ENTRY

The Commission finds:

- (1) On July 15, 2013, James and Rene Boyer (complainants) filed a complaint against The Dayton Power and Light Company (DP&L), alleging that, since 1996, complainants have been billed the wrong rate by DP&L. Complainants assert that DP&L failed to establish their account under the correct "all electric" rate and instead applied a "gas/electric" rate, although complainants state that they reside in an all electric home. Complainants seek a credit for the alleged overcharges that occurred from 1996 through June 30, 2013, plus interest of three percent.
- (2) On August 5, 2013, DP&L filed an answer to the complaint. In its answer, DP&L denies, or claims insufficient knowledge to ascertain the veracity of, all of the allegations of wrongdoing as described in the complaint. DP&L asserts that, at all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs. DP&L concludes that the complaint should be dismissed.
- (3) By entry issued on August 9, 2013, the attorney examiner scheduled a settlement conference for September 5, 2013.
- (4) On October 17, 2013, the parties filed a joint motion to dismiss this case. In the motion, the parties explain that the matter has been settled through a mutually acceptable resolution.



- (5) Initially, the Commission finds that this case, which was originally docketed as Case No. 13-1638-GE-CSS, is more appropriately docketed with the "EL" industry code, as it specifically pertains to an electric rate matter. Accordingly, Case No. 13-1638-GE-CSS should be designated as Case No. 13-1638-EL-CSS.
- (6) With respect to the parties' joint motion to dismiss the complaint, the Commission finds that the motion is reasonable, given that the parties have reached an agreement that resolves the issues raised in the complaint. Accordingly, the joint motion to dismiss the complaint should be granted.

It is, therefore,

ORDERED, That this case be designated as Case No. 13-1638-EL-CSS. It is, further,

ORDERED, That the parties' joint motion to dismiss the complaint be granted. It is, further,

ORDERED, That Case No. 13-1638-EL-CSS be dismissed. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

\_\_\_\_\_  
Todd A. Snitchler, Chairman

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Steven D. Lesser

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M. Beth Trombold

\_\_\_\_\_  
Lynn Slaby

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Asim Z. Haque

SJP/sc

Entered in the Journal

**NOV 08 2013**

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Barcy F. McNeal

Barcy F. McNeal  
Secretary