

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of )	
Jack Teubner, )	
Complainant, )	
v. )	Case No. 12-891-EL-CSS
Ohio Edison Company, )	
Respondent. )	

ENTRY

The Commission finds:

- (1) On March 8, 2012, Jack Teubner (complainant) filed a complaint against Ohio Edison Company (Ohio Edison). Mr. Teubner alleges that the electric bills he received from the respondent significantly increased consecutively for a three-month period during early Fall of 2010, then went back to normal after the meter, which the complainant alleges was damaged by a power surge, was changed. The complainant maintains that he was overcharged for power during the period when the allegedly damaged meter was relied upon in billing him. Next, the complainant alleges that, out of the blue and without explanation, his bill shot up again. According to the complaint, Mr. Teubner contacted the company on December 12, 2012, and, working with a PUCO investigator throughout January and February of 2012, has tried, in vain, to get any response from the respondent regarding his "very inflated bill" and the company's assessment of the cause of the problem.
- (2) On March 29, 2012, Ohio Edison filed its answer denying the complainant's substantive allegations and setting forth affirmative defenses, including that Ohio Edison has at all times complied with the Revised Code, the rules, regulations, and orders of the Commission, and its tariff.

- (3) A prehearing settlement teleconference occurred on June 20, 2013. However, the parties did not resolve any issues during the settlement teleconference.
- (4) On July 17, 2013, the respondent filed a motion to dismiss this case, along with a memorandum in support of that motion. The motion points out that the complainant has indicated by letter and confirmed during telephone calls with both counsel for the respondent and the attorney examiner that he does not wish to pursue this matter. Attached to the memorandum in support of the respondent's motion to dismiss is a copy of a letter, dated July 22, 2012, which the complainant sent to counsel for the respondent. The complainant begins his letter by stating its purpose, namely, to inform those to whom it is addressed, namely, the respondent and the Commission, among others, "that I am withdrawing any further attempt in pursuing a fair settlement in the complaint I filed" with the Commission against Ohio Edison. According to the respondent's memorandum in support of its motion to dismiss, counsel for the respondent called the complainant on or around August 31, 2012. During that phone call, the complainant confirmed that he was no longer interested in pursuing this case.
- (5) The attorney examiner has twice spoken to the complainant by telephone, first on July 9, 2013, and even more recently, on November 12, 2013, seeking to find out whether he wished to pursue this matter further. On the first occasion, the complainant told the attorney examiner that he was not interested in pursuing this case any further, but expressed his unwillingness to file a letter withdrawing the case. On the second occasion, the complainant not only told the attorney examiner that he did not wish to further pursue this matter, he also confirmed that he had expressed this to counsel for the respondent, and expressed a willingness to have the Commission proceed to dismiss this case based on the respondent's motion to dismiss.
- (6) Under the circumstances of record, we find good cause exists for granting the respondent's July 17, 2013, motion to dismiss and, accordingly, it is hereby granted.

It is, therefore,

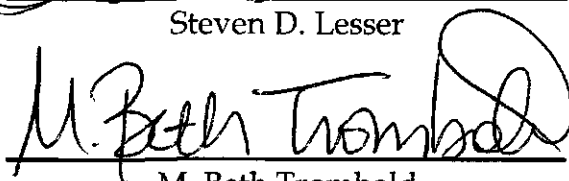
ORDERED, That, in accordance with the above findings, Ohio Edison's July 17, 2013, motion to dismiss is granted. Accordingly, this complaint case is hereby dismissed and closed of record. It is, further,

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


THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Snitchler, Chairman

  
Steven D. Lesser

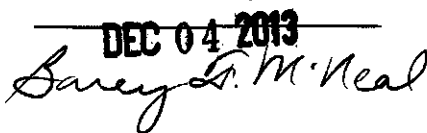
  
M. Beth Trombold

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

  
Asim Z. Haque

DEF/sc

Entered in the Journal

**DEC 04 2013**  


Barcy F. McNeal  
Secretary