

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Pete)	
Spooner and Cindy J. Bias,)	
)	
Complainants,)	
)	
v.)	Case No. 13-1583-EL-CSS
)	
Ohio Edison Company and FirstEnergy)	
Solutions Corp.,)	
)	
Respondents.)	

ENTRY

The attorney examiner finds:

- (1) On July 5, 2013, Pete Spooner and Cindy J. Bias (Complainants) filed a complaint against Ohio Edison Company (Ohio Edison) and FirstEnergy Solutions Corp. (FES) (collectively Respondents). The Complainants allege that Ohio Edison unlawfully switched their electricity service supplier to FES without their consent and failed to provide them with a copy of their bill. The Complainants also contested the accuracy of their bill.
- (2) After being granted an extension of time to plead, the Respondents filed a joint answer on August 5, 2013. In their answer, the Respondents allege that the Complainant Pete Spooner was enrolled with FES as his CRES supplier on October 21, 2010. The Respondents claim that the enrollment was part of the Erie County Government Aggregation Program.

Challenging the Complainants' assertion that their billing was inaccurate, the Respondents point out that they tested the Complainants' meter. The results showed that the meter tested at 99.98 percent accuracy.

In agreement with the Complainants, the Respondents admit that Complainant Spooner's supplier was switched from FES to Ohio Edison on March 27, 2013.

- (3) By entry issued September 10, 2013, the attorney examiner scheduled this matter for a settlement conference. The parties appeared for the settlement conference, as scheduled, on October 17, 2013. The parties did not reach an agreement.
- (4) By letter filed November 13, 2013, Ohio Edison notified the attorney examiner that it had initiated disconnection procedures in accordance with Ohio Adm.Code 4901:1-18.
- (5) It is unclear whether the Complainants wish to proceed with the complaint. The Complainants should, therefore, advise the Commission, in writing, whether they wish to proceed to a hearing. On or before April 10, 2014, the Complainants should file a statement that they wish to proceed with the complaint; otherwise, the attorney examiner will recommend to the Commission that the complaint be dismissed for lack of prosecution.

It is, therefore,

ORDERED, That the Complainants file by April 10, 2014, a written statement of intent to proceed to a hearing; otherwise, the attorney examiner will recommend to the Commission that the complaint be dismissed for lack of prosecution. 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/ L. Douglas Jennings

By: L. Douglas Jennings
Attorney Examiner

jrj/vrm

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in

Case No(s). 13-1583-EL-CSS

Summary: Attorney Examiner Entry requesting complainant to file statement of intent by April 10, 2014; electronically filed by Vesta R Miller on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio