

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of James L. Griffith,)	
)	
)	
Complainant,)	
)	
v.)	Case No. 13-1956-EL-CSS
)	
Ohio Edison Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) The above-referenced complaint was filed on September 18, 2013. In the complaint, James L. Griffith (Mr. Griffith or complainant) alleged that a tree company working for Ohio Edison Company (Ohio Edison) cleared a right-of-way through his property, left a mess of limbs and brush, sprayed a chemical that killed all of the plant life, destroyed a corner property marker, and cut a cherry tree that was three feet from the right-of-way.
- (2) On October 8, 2013, Ohio Edison filed an answer denying the allegations in the complaint.
- (3) On February 13, 2014, a settlement conference was held in an attempt to informally resolve this matter. The parties, however, were unable to reach a resolution of the issue presented in the complaint. 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 July 29, 2014, in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (5) Any party intending to present direct expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(l)(h), 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 complaint proceedings, the burden of proof rests with the complainant. Therefore, 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 July 29, 2014, at 10:00 a.m., in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That the terms of this entry be observed. 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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in

Case No(s). 13-1956-EL-CSS

Summary: Attorney Examiner Entry scheduling a hearing on July 29, 2014, at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio