

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	)	
Helen and Dan Layton,	)	
	)	
Complainants,	)	
	)	
v.	)	Case No. 14-1146-GA-CSS
	)	
The East Ohio Gas Company d/b/a	)	
Dominion East Ohio,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On June 25, 2014, Helen and Dan Layton (Complainants) filed a complaint against The East Ohio Gas Company, d/b/a Dominion East Ohio (Dominion). The Complainants allege that Dominion removed their gas meter at 4605 East 174th Street, Cleveland, Ohio 44128 on or around January 8, 2013. The Complainants assert that, as a result of the removal of the meter, the water pipes in the house froze, which caused extensive damage to the property. The Complainants request that Dominion reimburse them in the amount of \$45,379.15.
- (2) On July 11, 2014, Dominion filed a motion for an extension of time to file a responsive pleading, with a request for an expedited ruling. By Entry issued on July 16, 2014, the attorney examiner found that Dominion's motion was reasonable and it was granted.
- (3) On August 4, 2014, Dominion filed its answer to the complaint. Dominion admits that Complainants were residential customers of Dominion, and that they began receiving service on December 14, 2012. Dominion avers

that, on January 8, 2013, it received a telephone call reporting a gas odor at the premises and dispatched personnel on an emergency order. According to Dominion, its service personnel left service disconnected when the premises was found to be vacant.

Additionally, Dominion argues that the complaint does not comply with Ohio Adm.Code 4901-9-01(B) by providing a statement which clearly explains the facts. Further, Dominion avers that the complaint fails to state reasonable grounds for complaint, as required by R.C. 4905.26, and the complaint fails to state a claim upon which relief can be granted. Finally, Dominion asserts that at all times it complied with R.C. Title 49; the applicable rules, regulations, and orders of the Commission; and Dominion's tariffs.

- (4) At this time, the attorney examiner finds that a settlement conference should be scheduled in this matter to discuss settlement of the issues. The settlement conference in this matter is scheduled for September 18, 2014, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 12th Floor, Conference Room 1247, Columbus, Ohio 43215-3793. 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 Ohio Adm.Code 4901-1-26(F), 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 authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (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 a settlement conference is scheduled for September 18, 2014, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 12th Floor, Conference Room 1247, Columbus, Ohio 43215-3793, in accordance with Finding (4). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/26/2014 1:32:57 PM**

**in**

**Case No(s). 14-1146-GA-CSS**

Summary: Attorney Examiner Entry scheduling a settlement conference for 09/18/2014, 10:00 a.m. at the offices of the Commission, 180 E. Broad St., 12th Flr., Rm. 1247, Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio