

PUCO EXHIBIT FILING

FILE

Date of Hearing: 8-18-14

Case No. 13-2031-EL-CSS

PUCO Case Caption:

BRUCE SNYDER

v.

FIRST ENERGY SOLUTIONS

List of exhibits being filed:

SNYDER Exhibits

1	12	23
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11	22	

Reporter's Signature:

Date Submitted:

9-30-14

RECEIVED-DOCKETING DIV  
2014 SEP 30 PM 2:06  
PUCO

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of:	:
	:
Bruce Snyder,	:
	:
Complainant,	:
	:
vs.	: Case No. 13-2031-EL-CSS
	:
FirstEnergy Solutions	:
Corp.,	:
	:
Respondent.	:

- - -

PROCEEDINGS

before Jim M. Lynn, Attorney Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-C, Columbus, Ohio, called at 9:00 a.m. on Monday, August 18, 2014.

- - -

ARMSTRONG & OKEY, INC.  
222 East Town Street, Second Floor  
Columbus, Ohio 43215-5201  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

# FES Complaint Timeline

Date	Action	Point of Contact
22-May-13	Online internet application for service	N/A
30-May-13	Received FES letter saying problem with enrollment	Letter from Stephen C. Reifsnyder at FES
31-May-13	I called FES	Steve Hogan at Summit Advantage (CD 1, Track 4, 5:46)
28-Jul-13	Received DP&L bill	N/A
29-Jul-13	I called FES	Deborah A. Ison at VXI (CD 1, Track 1, 9:33)
5-Aug-13	I called FES	Tuniqua D. Jennings at VXI (CD 2, Track 1, 28:43)
9-Aug-13	I called FES first and then FES called me twice	Lisa M. Manes at VXI Kim Dolly of VXI (CD 1, Tracks 5 (18:43), Track 6 (4:23), Track 7 (10:38))
12-Aug-13	Initiated informal PUCO complaint	N/A
16-Aug-13	FES called me three times	Frederick S. Maurer at FES (CD 1, Track 3, 1:33) (CD 2, Track 2, 8:38) (CD 1, Track 2, 2:54)
16-Aug-13	FES enrolled me for service at \$.0594/kWh FES letter to PUCO (Kelly Mabra)	Frederick S. Maurer at FES
19-Aug-13	Received notification of start of FES service at \$.0594/kWh from FES. I emailed PUCO and FES to inform both that I didn't agree to these terms.	Emailed Frederick S. Maurer at FES and the ContactThePUCO@puc.state.oh.us email address
20-Aug-13	Called day after sending email. I called PUCO to let them know FES tried to enroll me for electric service at higher than promised rate.	Called Frederick S. Maurer at FES. Kelly Mabra at PUCO.

Date	Action	Point of Contact
23-Aug-13	Received notification of FES service at \$.0594/kWh from DP&L. I called DP&L and FES to cancel. I called PUCO to let them know FES tried to enroll me for electric service at higher than promised rate.	Called Trace at DP&L, Frederick S. Maurer at FES. Kelly Mabra at PUCO.
9-Sep-13	FES called me	Rebecca S. Pastier at FES
16-18 Sep 2013	Email exchanges	Rebecca S. Pastier at FES
17-Sep-13	FES letter to PUCO (Kelly Mabra)	Rebecca S. Pastier at FES
17-Sep-13	Kelly Mabra email to FES	Kelly Mabra at PUCO
2-Oct-13	Formal complaint filed with PUCO. PUCO formally requested that FES provide all voice recordings between FES and Bruce Snyder.	Kelly Mabra at PUCO
6-Nov-13	FES delivered to PUCO all voice recordings between FES and Bruce Snyder	Kelly Mabra at PUCO
9-Dec-13	FES delivered to Bruce Snyder all voice recordings between FES and Bruce Snyder	Scott Casto

2

EDC ACCT CUST NO	3154719158
UTILITY CODE	CGE
EDC VENDOR DB NO	006999189
CONTRACT SIGNED DT	22-May-13
CONTRACT START DATE	22-May-13
CONTRACT END DATE	01-Jun-16
ENROLLMENT ID	945228
ENROLLMENT ACCOUNT ID	945229
CONFIRMATION NO	bb4d0d82dfdata 465ae0
COMPANY LAST NM	Snyder
CONTACT FIRST NM	Bruce
CONTACT LAST NM	Snyder
PHONE NO	937-427-0231
EMAIL ADDRESS	snyderbd888@s bcglobal.net
OFFER CODE	
LEAD SOURCE ID	PUC / OCC
FILENET CONTRACT NUMBER	C-00007739
QUOTED PRICE AMT	5.36 cents/kWh through June 2016
PRICE TYPE	Fixed
TERMS ACCEPTED FLAG	Y
PRICE RATE CD	FE99
PRIORITY CODE	C-00007739
CLASS TY CD	RES
ET PROCESSED FLAG	
OFFER GROUP CODE	MM-DUKE-536
PROD ID	2903
INTEGRATION STATUS	S
INTEGRATION_DESC	Enroll 945228 succeeded: The Main 0017618508 BP(s) and contract 2000715349 were created.

ulmer|berne|llp  
ATTORNEYS

LAURA MCBRIDE  
Partner

direct 216.583.7034  
direct fax 216.583.7035  
lmcbride@ulmer.com

July 30, 2014

**VIA REGULAR MAIL AND EMAIL**

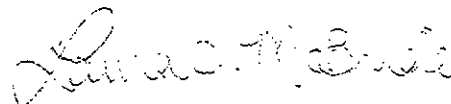
Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

Re: *In the Matter of the Complaint of Bruce Snyder v. FirstEnergy  
Solutions Corp.*  
Public Utilities Commission of Ohio  
Case No. 12-2031-EL-CSS

Dear Mr. Snyder:

Enclosed please a supplemental production of documents responsive to your  
earlier document requests, specifically Set 1, Request for Production No. 5 and Set 2, Request  
for Production No. 2.

Sincerely,



Laura McBride

Enclosure

CLEV1997 2103691v1  
29414.00053

SKYLIGHT OFFICE TOWER  
1660 WEST 2ND STREET, SUITE 1100  
CLEVELAND, OHIO 44113-1448

firm  
216.583.7000

fax  
216.583.7001

internet  
www.ulmer.com

CLEVELAND

COLUMBUS

CINCINNATI

CHICAGO

ENROLLMENT_ID	945228
CONTACT_FIRST_NM	Bruce
CONTACT_LAST_NM	Snyder
INV_ADDR_TX_1	4461 Powder Horn Drive
INV_CITY_TX	Beavercreek
INV_STATE_TX	OH
INV_POSTAL_CD_TX	45432
PHONE_NO	937-427-0231
EMAIL_ADDRESS	snyderbd888@sbcglobal.net
LEAD_SOURCE_ID	PUC / OCC
FILENET_CONTRACT_NUMBE	C-00007739
QUOTED_PRICE_AMT	5.36 cents/kWh through June 2016
PRICE_TYPE	Fixed
CONTRACT_SIGNED_DT	5/22/13 12:22 PM
TERMS_ACCEPTED_FLAG	Y
CONFIRMATION_NO	bb4d0d82dfda465ae0
ENROLLMENT_ACCOUNT_ID	945229
SERV_ADDR_TX_1	4461 Powder Horn Drive
SERV_CITY_TX	Beavercreek
SERV_STATE_TX	OH
SERV_POSTAL_CD_TX	45432
UTILITY_CODE	CGE
LDC_VENDOR_DB_NO	006999189
LDC_ACCT_CUST_NO	3154719158
PRICE_RATE_CD	FE99
PRIORITY_CODE	C-00007739
CLASS_TY_CD	RES
CONTRACT_START_DATE	5/22/2013
CONTRACT_END_DATE	6/1/2016
OFFER_GROUP_CODE	MM-DUKE-536
PROD_ID	2903
INTEGRATION_STATUS	S
	0017618508 BP(s) and contract 2000715349
INTEGRATION_DESC	were created.

CONTACT US

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Residential Solutions

Business Solutions

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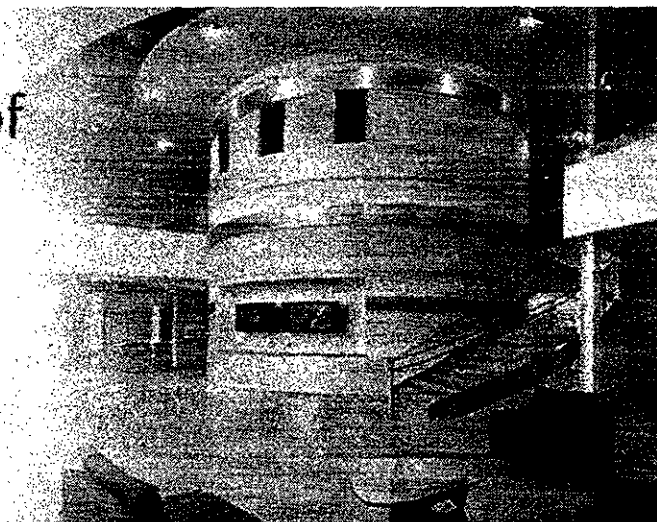
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We're the proud supplier of energy for over 2 million customers in the U.S.

We're one of the largest providers in the country, which is one reason why our customers trust us

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## Residential Energy Solutions



Could you use some extra money? Save money on your electric bill when you switch to FirstEnergy Solutions.

Zip Code



Residential Inquiries:

1-877-204-9520

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Is your annual usage below 700,000 kWh a year in Ohio or 1,000,000 kWh in PA, NJ, MD, or IL? See how much you can save!



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## Large Businesses

Does your annual usage exceed 700,000 kWh a year in Ohio or 1,000,000 kWh in NJ, MD, MI, PA, or IL? See how much FirstEnergy Solutions can save you. [Request a quote >](#)

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## Community Energy Solutions



Some communities work directly with an electric generation supplier to provide savings to the residents and small businesses in their communities. **Members in that community are**

automatically enrolled in the program unless they "opt out". This is sometimes called Government Aggregation or Municipal Aggregation.

Learn more about Community Energy Solutions.

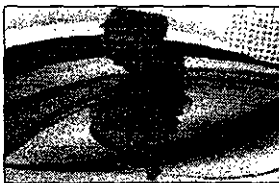
Ohio/New Jersey Community Inquiries:

1-866-636-3749

Illinois Community Inquiries:

1-888-651-5200

## News &amp; Promotions



FirstEnergy Solutions is now making money-saving electric offers available to residents in New Jersey! For more than 15 years, millions of homes and businesses in Illinois, Maryland, Michigan, Ohio and Pennsylvania have trusted FirstEnergy Solutions to provide them with a variety of competitively priced electric generation plans to meet their energy needs. We're

pleased to be able to bring our industry knowledge and years of experience to serve customers in the Garden State. [Click here to learn more about our residential offers.](#)



Offers for NJ Residents

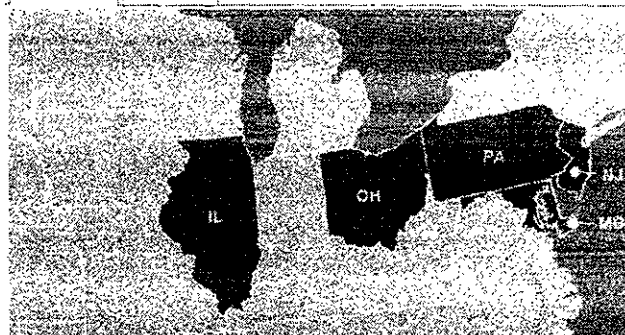


PriceControl in OH &amp; PA

## States We Serve

Residential

Business



FENGAD 800-651-6889

EXHIBIT

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SNYDER



<b>HOME</b>	<b>RESIDENTIAL ENERGY SOLUTIONS</b>	<b>BUSINESS ENERGY SOLUTIONS</b>	<b>SIGN UP</b>	<b>ELECTRICITY DEREGULATION &amp; CHOICE</b>	<b>RESIDENTIAL INQUIRIES</b> 1-888-254-6359
	Special Offers/Enroll How to Switch Moving?	Enroll Request a Quote How to Switch	Business Residential	<b>ELECTRICITY RATES</b>	<b>SMALL BUSINESS INQUIRIES</b> 1-888-254-4769
	Illinois Ohio New Jersey Pennsylvania Maryland	Illinois Ohio New Jersey Pennsylvania Michigan Maryland	<b>ABOUT US</b>	<b>GREEN ENERGY</b>	<b>LARGE COMMERCIAL &amp; INDUSTRIAL INQUIRIES</b> 1-888-254-1464
		Products Be an Educated Buyer Energy Update Partner Associations Testimonials FES Newsletter News and Events	About Us Contact Us Power Generation News and Events Leadership Career Opportunities Privacy & Legal Statement Website Terms of Use Mobile Tools and Text Messaging Disclaimer		<b>COMMUNITY INQUIRIES</b> OH/NJ: 1-866-636-3749 Illinois: 1-888-651-5200
					Once a month, you'll receive useful information to help keep you informed of energy-related issues. Sign up below!
					Email <input type="text"/>

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5 days  
8/16/13

Date: 05/28/2013

4



SINGLE-PIECE C1 P2 861 SP 0.477  
Bruce Snyder  
4461 POWDER HORN DR  
BEAVERCREEK OH 45432-4029

86

Called  
Steve  
8/31/13  
all info correct

will refund  
may, don't say

Dear Bruce Snyder,

RE: Customer/Account Number: 3154719158

Corr #

144 6043

29 Jul  
search would  
be taken care of

Thank you for choosing FirstEnergy Solutions (FES) as your electric generation supplier. Unfortunately, we are having difficulty enrolling your account. According to your local electric utility company, the customer/account number you provided to FES for enrollment is not valid.

Please call us at 1-888-254-6359 (Monday through Friday, 8 AM to 5 PM) at your earliest convenience, so that we can resolve any issues and sign you up as a customer.

When calling, please make sure you have your most recent electric bill on hand. We appreciate the opportunity to serve you and look forward to helping you save on your electric generation.

Sincerely,

Stephen C. Reifsnyder  
Manager, Customer Care  
FirstEnergy Solutions

Tongia  
5 Aug 13

Lisa  
9 Aug

Kim kdoll@summit  
9 Aug add.com

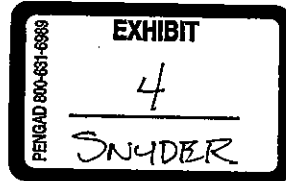
Terr: supervisor  
330 436 5880

Customer Service  
Fred  
8/16/13

Matt

2 months  
recalculate 330 436-1547  
will resolve problem  
start service ASAP  
scan/Fax DPOL Bills  
and he will credit  
difference back to  
account

michele 8/20/13



ELIZABETH A SNYDER  
4461 POWDER-HORN DR  
DAYTON OH 45432

NUMBER  
3154719158 3

PRESENT ENTIRE  
BILL WHEN PAYING  
IN PERSON

EMERGENCY SERVICE  
(877) 4OUTAGE  
(877) 468-8243

ACCOUNT INFORMATION  
(937) 331-3900

6

NEXT METER READING DATE	THIS BILL MAILED	DUE DATE FOR PROMPT PAYMENT	LATE PAYMENT	PROMPT PAYMENT
AUG 22 2013	JUL 25 2013	AUG 14 2013	131.31	129.37

SERV	FROM	TO	DAYS	METER READINGS PRESENT PREVIOUS	USAGE	AMOUNT
EL	JUN 20	JUL 23	33	14529 13366	1,163	54.94

DUKE ENERGY RETAIL SALES, LLC CHARGES 74.43

YOUR ACCOUNT BALANCE LAST MONTH	90.92
PAYMENT RECEIVED JUL 15	90.92CR
BALANCE FORWARD	0.00
TOTAL AMOUNT BILLED FOR THIS MONTH	129.37
YOUR TOTAL ACCOUNT BALANCE	129.37

THANK YOU FOR YOUR PREVIOUS PAYMENT

PRICE-TO-COMPARE: IN ORDER FOR YOU TO SAVE MONEY, A NEW SUPPLIER MUST OFFER YOU A PRICE LOWER THAN DP&L'S PRICE OF \$106.05, OR 9.1 CENTS PER KWH, FOR THE SAME USAGE THAT APPEARS ON THIS BILL. YOU MAY CONTACT DP&L FOR A WRITTEN EXPLANATION OF THE PRICE-TO-COMPARE MESSAGE.

110001000000



M

07252013-CD058-F1501I-BILL-NONBAR





TO REPORT OR GET MORE INFORMATION ABOUT A POWER OUTAGE, CALL 877-4OUTAGE (877-468-8243) OR REPORT VIA WEB OR SMARTPHONE AT DPANDL.COM/REPORT. YOU'LL USE THE PHONE NUMBER ON YOUR ACCOUNT OR YOUR ACCOUNT NUMBER TO REPORT. OUR RECORDS INDICATE YOUR PHONE NUMBER IS 937-427-0231. IF THIS IS NOT CORRECT, PLEASE CALL US AT 331-3900 OR 800-433-8500.

AS PART OF THE DP&L ELECTRIC CHOICE PROGRAM, YOUR GENERATION AND TRANSMISSION ARE BEING PROVIDED BY DUKE ENERGY RETAIL SALES, LLC, 139 E. 4TH STREET CINCINNATI, OH 45202; (877) 331-3045. THIS BILL REFLECTS CHARGES FOR THESE SERVICES AND DP&L CHARGES FOR ELECTRIC DISTRIBUTION SERVICE.

YOUR BILL ACCOUNT NUMBER WITH YOUR SUPPLIER IS 922026.

YOUR TOTAL ELECTRIC SUPPLIER CHARGES ARE \$74.43.

THE FOLLOWING DETAIL IS REQUIRED BY OHIO REGULATION.

DP&L CHARGES: EL RATE 741 KWH 1,163  
 CUSTOMER CHARGE  
 DISTRIBUTION CHARGE  
 GENERATION RIDER  
 TOTAL

[REDACTED]

PREVIOUS 12 MONTHS		
	MONTH	KWH
4.25	JUN	815
43.79	MAY	746
6.90	APR	842
54.94	MAR	963
	FEB	793
	JAN	984
	DEC	1041
	NOV	1543
	OCT	644
	SEP	1218
	AUG	1247
	JUL	1108
	TOTAL	11944
	AVG	995

DUKE ENERGY RETAIL SALES, LLC EL CHARGES: KWH 1,163  
 GENERATION CHARGE (AVG PRICE: \$0.06400/KWH)

74.43

[REDACTED]

[REDACTED]

110001000000



Description	Status	Start Date	End Date	Category	Employee Resp.	Notes
Enrollment Rejected--Operations Team	Open	05/24/2013	05/24/2013	Task		A76-Account not found
Inquiry IR1204950	Completed	05/31/2013	05/31/2013	Inbound	Stephen D Hogan / Akron	31547191583: Customer called to advise that he received a letter of rejection for his recent enrollment. Customer has verified his account # as well as his EDC which has since been updated in the system. A76-Account not found
Enrollment Cust 0017618508 05/22/2013	Rejected - Operations	07/01/2013	06/30/2016			
enrollment issue IR 1446173	Completed	07/29/2013	07/29/2013	Inbound	Deborah A Ison /	C-00007739 5.3600 \$ kWh / 070113 - 063016 / \$100.00 / Dayton Power and Light Co. 3154719158 +1 (937) 427-0231 Bruce Snyder 31547191583: Customer called to advise that he received a letter of rejection for his recent enrollment. Customer has verified his account # as well as his EDC which has since been updated in the system. Steve told him that everything was ok on acct, but what happen is the acct is under his wife name and acct was to many number, asking about lose saving for 3 month's wife Izah Snyder
Enroll Rejected/Cancelled/No Lost Saving	Completed		07/29/2013	Task	Robyn Speelman / Akron	Customer's May 2013 enrollment rejected due to the wrong name on the account. The correct account, in the wife's name, was enrolled on 8/16/2013, and the customer requested that the enrollment be cancelled. The customer's start date and end date were noted as 9/23/2013. The customer did not receive their transmission and generation service from FES, therefore, they will not receive lost savings. RS
Inquiry	Completed	08/05/2013	08/05/2013	Inbound	Tunqua D Jennings /	3154719158 Cust called to see why he hasn't got enrolled with FES. Cust put in the wrong utility when he did enrollment he put his supplier instead of Dayton power and light which caused the enrollment to not get processed. All info was verified and corrected. Cust spoke to a rep Steve who he stated that he was reassured that he was going to be enrolled back with FES. Cust wasn't enrolled, also made a request for loss savings IR#1446173. Spoke to sup D.B. and he is going to have acct researched. Advised cust that he should hear from someone in 48 hours. Cust stated that he received a letter from DP&L stating he needed to find a supplier by 8/8/2013 or he would be paying a higher rate.
Customer Callback	Completed	08/09/2013	08/09/2013	Inbound	Lisa M Menes /	3154719158 Was researching the account for escalation and determined the online enrollment Bruce submitted 5/22/2013 was submitted to the incorrect utility - Duke Energy - at a rate of - Duke Web Only 3 year, 5.35 thru June 2016 Offer #C-00007739 - instead of the correct utility company - Dayton P&L. The enrollment was rejected by Duke Energy due to - Reject : Desc = A76 Account Not Found - as he wasn't a Duke Energy customer. Called Bruce back to advise that the rate he wants to be resubmitted was never available to him as the rate he enrolled in is not a valid rate for Dayton P&L customers. Offered to enroll him in the current available rate for Dayton P&L customers at - DPL 6+6.35M, 6.83 thru May 2016 w/\$100.00 ETF - Offer #C-00012117 - but he refused as he keeps insisting because FES sent him an e-mail confirmation of his original enrollment that FES should honor that rate and he would have to shop other rates before he would consider enrolling in the new rate offered. But he still wanted the request to enroll at the original rate of - Duke Web Only

Rejected Enrollment Inquiry	Completed	08/09/2013	08/09/2013	Inbound	Lisa M Manes /	Bruce called about a continuing issue with rejected enrollment which he wants resubmitted providing it is at the same rate of - 5.36 per kWh through June 2016 w/ 100.00 ETF. He stated he has spoken w/ several representatives about this and was told 8/5/2013 he would receive a call back within 48 hours and hasn't as yet. The account is in his wife, Elizabeth's name, but the name listed in CRM is - Izath - I confirmed w/ Bruce the spelling of his wife's name - Elizabeth - reviewed current available rates in the Enrollment Form and advised him the rate he enrolled in is no longer available and he stated he wanted the rate he enrolled in originally. Advised him I would need to further review the account to determine what has transpired thus far and how to proceed from here and asked I could
research acct IR 1512058	Completed	08/15/2013	08/15/2013	Inbound	Deborah A Ison /	call him back to advise and he refused and requested to speak w/ a
Enrollment	Completed	08/16/2013	08/16/2013	Inbound	Frederick S. Maurer / Akron	research customer acct to see if it was re-enroll note in r/note 3154719158
Enrollment IR 1516877	Completed	08/16/2013	08/16/2013	Inbound	Frederick S. Maurer / Akron	3154719158 enrolled Mr. Snyder in the DP&L program. He had originally enrolled himself via internet as a Duke customer because his supplier was Duke Retail. Several calls to FES failed to resolve the issue. The best DP&L offer we have is 5.94 cents per kWh, through June of 2016 with a \$25.00 ETF.
PUCO Complaint	Completed	08/16/2013	08/16/2013	Inbound	Frederick S. Maurer / Akron	3154719158 Called Bruce Snyder and reviewed the issues surrounding his complaint. His application was rejected by his local utility, Duke Energy. There were data input issues with the account, that needed to be resolved before a Manual Enrollment could be submitted.
Cancel enrollment	Completed	08/20/2013	08/20/2013	Inbound	Frederick S. Maurer / Akron	Spoke with Bruce Snyder regarding the pricing of this offer. Mr. Snyder is a DP&L customer. He enrolled himself on line as a Duke Energy customer, who was his supplier at the time. DP&L pricing structure is higher than Duke Retail's and the offer he wants simply is not in the system. He wants compensated for the time and money lost while with FES because, he states, another supplier was cheaper.
TRANSFER	Completed	08/20/2013	08/20/2013	Inbound	Michelle Clancy /	BRUCE 3154719158 TRANSFER CUSTOMER TO FRED (330-436-1547)
PUCO follow up	Completed	09/17/2013	09/17/2013	Inbound	Rebecca S. Pastier / Akron	9/17/13 Sent follow up response to PUCO with copies of contact center calls from 5/31/13 & 8/5/13 as well as a copy of the original web enrollment. Will pay lost savings for June, July, August bill against what he paid to DPL or other supplier. Becki Pastier
Enrollment, Cust 17618508 08/16/2013	Early Drop	09/20/2013	09/17/2016		Frederick S. Maurer / Akron	Customer rescission enrollment request within rescission period
10/2/2013 future date for drop	Completed		10/02/2013	Task	LINDA BRANT-L YNN / Akron	Set up courtesy drop to send on 9/23/2013. Completed. tmh
These calls do not have notes. May be reps researching account						
No Text Available	Completed	11/26/2013	11/26/2013	Inbound	Rebecca S. Pastier / Akron	
No Text Available	Completed	11/13/2013	11/13/2013	Inbound	Rebecca S. Pastier / Akron	
No Text Available	Completed	10/07/2013	10/07/2013	Inbound	Rebecca S. Pastier / Akron	
No Text Available	Completed	10/07/2013	10/07/2013	Inbound	Rebecca S. Pastier / Akron	
No Text Available	Completed	10/04/2013	10/04/2013	Inbound	Ernest Bergan / Akron	
No Text Available	Completed	10/03/2013	10/03/2013	Inbound	Rebecca S. Pastier / Akron	
No Text Available	Completed	10/03/2013	10/03/2013	Inbound	Frederick S. Maurer / Akron	
No Text Available	Completed	09/26/2013	09/26/2013	Inbound	Rebecca S. Pastier / Akron	

No Text Available	Completed	09/24/2013	09/24/2013	Inbound	Rebecca S. Pastler / Akron
No Text Available	Completed	08/23/2013	08/23/2013	Inbound	Rebecca S. Pastler / Akron
No Text Available	Completed	09/11/2013	09/11/2013	Inbound	Rebecca S. Pastler / Akron
No Text Available	Completed	08/07/2013	08/07/2013	Inbound	Rebecca S. Pastler / Akron
No Text Available	Completed	09/05/2013	09/05/2013	Inbound	Rebecca S. Pastler / Akron
No Text Available	Completed	08/23/2013	08/23/2013	Inbound	Federick S. Maurer / Akron
No Text Available	Completed	08/21/2013	08/21/2013	Inbound	Rebecca S. Pastler / Akron
No Text Available	Completed	08/20/2013	08/20/2013	Inbound	LINDA BRANT-LYNN / Akron
No Text Available	Completed	08/20/2013	08/20/2013	Inbound	LINDA BRANT-LYNN / Akron
No Text Available	Completed	08/16/2013	08/16/2013	Inbound	Federick S. Maurer / Akron
No Text Available	Completed	08/16/2013	08/16/2013	Inbound	Federick S. Maurer / Akron
No Text Available	Completed	08/15/2013	08/15/2013	Inbound	Deborah A Ison /
No Text Available	Completed	08/05/2013	08/05/2013	Inbound	Brand Zimm / Akron
No Text Available	Completed	08/05/2013	08/05/2013	Inbound	David Bowen / Akron

Scott Casto  
Attorney

330-761-7835  
Fax: 330-384-3875

8

VIA U.S. MAIL

Mr. Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

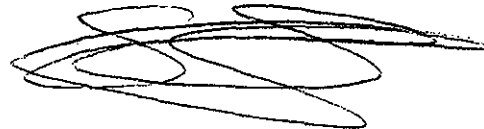
November 27, 2013

Re: ***Bruce Snyder v. FirstEnergy Solutions Corp.***  
**Public Utilities Commission of Ohio**  
**Case No.: 13-2031-EL-CSS**

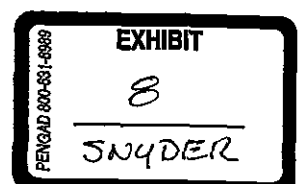
Dear Mr. Snyder,

Enclosed please find the FirstEnergy Solutions Responses to your Requests for Admissions, along with two CD's of the call recordings you requested. Based on our agreement, the remaining discovery will be sent to you by December 6, 2013.

Sincerely,



Scott J. Casto





**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

BRUCE SNYDER

Complainant,

v.

FIRSTENERGY SOLUTIONS CORP.

Respondent.

Case No. 13-2031-EL-CSS

**RESPONDENT'S RESPONSES TO COMPLAINANT'S DISCOVERY**

**REQUESTS**

Pursuant to Rules 4901-1-16 and 4901-1-22, Ohio Administrative Code,  
Respondent FirstEnergy Solutions Corp. ("FES") responds as follows to Complainant  
Bruce Snyder's Requests for Admissions.

**REQUESTS FOR ADMISSIONS**

**REQUEST FOR ADMISSION NO. 1:**

Admit that Steve, during the May 31, 2013 recorded conversation, identified Bruce  
Snyder as a DP&L customer with no mention of Duke Energy Ohio.

**RESPONSE:**

Denied. Mr. Snyder was identified as a DP&L customer but during the call, Mr. Snyder  
mentioned Duke Energy Ohio.

**REQUEST FOR ADMISSION NO. 2:**

Admit that Steve, during the May 31, 2013 recorded conversation, confirmed that Bruce Snyder was offered the \$.0536/KWh rate for three years as a DP&L customer.

**RESPONSE:**

Denied. Mr. Snyder applied for a rate of \$.0536/kWh.

**REQUEST FOR ADMISSION NO. 3:**

Admit that Steve, during the May 31, 2013 recorded conversation, said that Bruce Snyder's service with FirstEnergy Solutions would start at the next meter reading date.

**RESPONSE:**

Denied. If the enrollment was accepted as a valid enrollment, then service would start at the earliest meter reading date.

**REQUEST FOR ADMISSION NO. 4:**

Admit that all of Bruce Snyder's information in the May 28, 2013 FirstEnergy Solutions letter was obtained from the online application Bruce Snyder provided.

**RESPONSE:**

Admit.

**REQUEST FOR ADMISSION NO. 5:**

Admit that Bruce Snyder did not give Frederick S. Maurer permission to enroll him for service with FirstEnergy Solutions in August 2013.

**RESPONSE:**

Denied. The Request for Admission is denied.

**REQUEST FOR ADMISSION NO. 6:**

Admit that Becki Pastier confirmed that Bruce Snyder's application for service with FirstEnergy Solutions contained no data entry errors and that the FirstEnergy Solutions computers accepted his application with the correct zip code entered.

**RESPONSE:**

Denied. This is an incorrect characterization.

Respectfully submitted,

/s/ Scott J. Casto  
Scott J. Casto (0085756)  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
(330) 761-7835  
[scasto@firstenergycorp.com](mailto:scasto@firstenergycorp.com)

Attorney for FirstEnergy Solutions Corp.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by U.S. Mail to the following person on this 27<sup>th</sup> day of November 2013.

Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

/s/ Scott J. Casto  
Attorney for FirstEnergy Solutions Corp.

Scott Casto  
Attorney330-761-7835  
Fax: 330-384-3875VIA E-MAIL

Mr. Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

snyderbd888@sbcglobal.net

December 2, 2013

Re: *Bruce Snyder v. FirstEnergy Solutions Corp.*  
*Public Utilities Commission of Ohio*  
*Case No.: 13-2031-EL-CSS*

Dear Mr. Snyder,

I received your two emails dated Friday, November 30, 2013 wherein you request further information related to the FirstEnergy Solutions ("FES") Responses to Requests for Admissions. In the spirit of cooperation, the following information should clarify the FES responses and also complies with your requests pursuant to OAC 4901-1-22 and 4901-1-23.

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**REQUEST FOR ADMISSION NO. 1:**

Admit that Steve, during the May 31, 2013 recorded conversation, identified Bruce Snyder as a DP&L customer with no mention of Duke Energy Ohio.

**RESPONSE:**

Admitted in part and denied in part. It is admitted that during the May 31, 2013 call, Steve identified Mr. Snyder as a customer of DP&L. However, it is denied that there was no mention of Duke Energy as Mr. Snyder mentioned Duke Energy.

**REQUEST FOR ADMISSION NO. 5:**

Admit that Bruce Snyder did not give Frederick S. Maurer permission to enroll him for service with FirstEnergy Solutions in August 2013.

**RESPONSE:**

Denied. Mr. Snyder gave Frederick S. Maurer permission to enroll him for service with FirstEnergy Solutions in August 2013.

**REQUEST FOR ADMISSION NO. 6:**

Admit that Becki Pastier confirmed that Bruce Snyder's application for service with FirstEnergy Solutions contained no data entry errors and that the FirstEnergy Solutions computers accepted his application with the correct zip code entered.

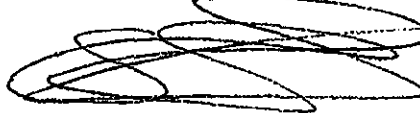
**RESPONSE:**

Denied. This Request for Admission lists several incorrect statements. Becki Pastier did not confirm that Mr. Snyder's application for service with FirstEnergy Solutions contained no data entry errors and did not confirm that FirstEnergy Solutions computers accepted his application with the correct zip code.

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In addition, your second email to me requests additional recordings or rational as to why some conversations were recorded and others were not. The calls that were sent to you are all of the conversations FES recorded. You will receive the remainder of the FES discovery responses which should answer any additional questions you may have.

Sincerely,

A handwritten signature in dark ink, appearing to be "Scott J. Casto", written over a series of horizontal lines.

Scott J. Casto

12/6/13

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

BRUCE SNYDER

Complainant,

v.

FIRSTENERGY SOLUTIONS CORP.

Respondent.

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Case No. 13-2031-EL-CSS

**RESPONDENT'S RESPONSES TO COMPLAINANT'S DISCOVERY**

**REQUESTS**

Pursuant to Rules 4901-1-16, 4901-1-19 and 4901-1-20, Ohio Administrative Code,  
Respondent FirstEnergy Solutions Corp. ("FES") responds as follows to Complainant Bruce  
Snyder's Interrogatories and Requests for Production of Documents.

## **INTERROGATORIES**

### **INTERROGATORY NO. 1:**

What information does the FirstEnergy Solutions use to distinguish service areas (i.e. DP&L, Duke Energy Ohio, ...) for online applications for service?

#### **ANSWER:**

Objection. This Interrogatory is vague, overbroad and unduly burdensome. This Interrogatory is also ambiguous as to what "the FirstEnergy Solutions" refers. Subject to these objections, generally when a customer visits the FirstEnergy Solutions ("FES") website, the potential customer types in his or her zip code to view available offers for his or her service territory. In addition, if a customer knows his or her utility company, the customer can view the offers by selecting that utility.

### **INTERROGATORY NO. 2:**

If there is a problem in processing an online application for service, what is the FirstEnergy Solutions procedure for resolving that problem and is that procedure documented?

#### **ANSWER:**

Objection. This Interrogatory is vague and overbroad. Subject to these objections, the FES procedure varies based on the "problem," which is undefined in this Interrogatory. From a general point of view, when a problem is present, the customer enrollment is rejected. FES contacts potential customers if the customer made an error during the online application process. This procedure is not documented due to the fact that it is an internal system configuration.

### **INTERROGATORY NO. 3:**

Is the Steve I spoke to on May 31, 2013 (FirstEnergy Solutions recorded conversation), Stephen C. Reifsnnyder, Manager, Customer Care at FirstEnergy Solutions and if not what is the first and last name and position of the Steve I spoke with?

#### **ANSWER:**

The individual that spoke to Mr. Snyder on May 31, 2013 is Steve Hogan.



**INTERROGATORY NO. 4:**

Who did Frederick S. Maurer talk to in management about my case in August 2013 and what is their position at FirstEnergy Solutions?

**ANSWER:**

Objection. This Interrogatory requests information subject to the work product doctrine. Subject to this objection, Fred Maurer did not speak to an employee in management.

**INTERROGATORY NO. 5:**

Please provide, with as much detail as possible, what Becki Pastier learned about how Bruce Snyder's online application for service was accepted by the FirstEnergy Solutions computer system?

**ANSWER:**

Objection. This Interrogatory is vague, overbroad and unduly burdensome. In addition, the term "accepted" is not defined and is susceptible to more than one interpretation. Subject to these objections, FirstEnergy Solutions has no response to this Interrogatory because Mr. Snyder's enrollment was rejected due to the fact that Mr. Snyder, as a customer of DP&L, applied for a Duke Energy Ohio offer.

**INTERROGATORY NO. 6:**

Please state the first date after May 31, 2013 that FirstEnergy Solutions initiated contact of any kind with Bruce Snyder to inform him that the \$.0536/KWh offer for three years was limited to Duke Energy Ohio customers.

**ANSWER:**

Objection, this Interrogatory seeks information either in possession of Mr. Snyder or within his knowledge and also assumes incorrect facts. Subject to this objection, Mr. Snyder was made aware of the fact that the service rate of \$.0536/kWh he applied for was only available to customers of Duke Energy Ohio on the FirstEnergy Solutions website, through the Terms and Conditions he received and affirmatively acknowledged that he understood and also from FirstEnergy Solutions employees. Mr. Snyder was also notified of this fact on July 29, 2013 and in subsequent interactions with FES.

**INTERROGATORY NO. 7:**

For each FirstEnergy Solutions employee that spoke to Bruce Snyder or reviewed any aspect of his complaint, please provide the date, time and place of the conversation; the FirstEnergy Solutions individual's address and phone number, the duration of the conversation, and who said what to whom during the conversation.

**ANSWER:**

Objection, this Interrogatory seeks information either in possession of Mr. Snyder or within his knowledge, is vague, overbroad and unduly burdensome, seeks information protected by the attorney-client privilege and also requests information that is protected as work product. Subject to these objections, see the call recordings, call log below and enclosures. In addition to the log listed below, Mr. Snyder also spoke with Michelle Clancy of VXI and Fred Maurer of FES on August 20, 2013, but there are no call recordings for this date. There were also several contacts made with Becki Pastier of FES. The times for the calls between Mr. Snyder and Frederick Maurer on August 16, 2013 are 12:04; 13:40 and 13:45. Any FirstEnergy Solutions' employee can be contacted through counsel for FirstEnergy Solutions.

Contents of CD's previously sent to Mr. Snyder:

**CD 1:**

Call Number 1: 8:53 on July 29, 2013 between Bruce Snyder and Deborah Ison of VXI

Call Number 2: August 16, 2013 between Bruce Snyder and Fred Maurer of FES

Call Number 3: August 16, 2013 between Bruce Snyder and Fred Maurer of FES

Call Number 4: 16:33 on May 31, 2013 between Bruce Snyder and Steve Hogan of Summit Advantage

Call Number 5: 11:06 on August 9, 2013 between Bruce Snyder, Lisa Manes and Kim Dolly, both of VXI

Call Number 6: 11:40 on August 9, 2013 initiated by Lisa Manes of VXI, voicemail received, then picked up by Mrs. Snyder

Call Number 7: August 9, 2013 between Bruce Snyder and Lisa Manes of VXI

**CD 2:**

Call Number 1: August 5, 2013 between Bruce Snyder and Tuniqua Jennings of VXI

Call Number 2: August 16, 2013 between Bruce Snyder and Fred Maurer of FES

**INTERROGATORY NO. 8:**

Please identify each and every person you expect to call as a witness at hearing in this proceeding, their address and phone number, and the substance of the facts to which each such witness is expected to testify.

**ANSWER:**

Objection, this Interrogatory seeks information protected by the attorney-client privilege and requests information subject to the work product doctrine. Subject to these objections, FES has not determined the witnesses it intends to call but will supplement at a later date when determined.

**INTERROGATORY NO. 9:**

What is FirstEnergy Solutions policy for documentation required to confirm requests to start electric service over the telephone and is that policy documented?

**ANSWER:**

Objection. *This Interrogatory requests information that is vague and overbroad. Subject to these objections, please see the enclosed Enrollment Script.*

## **REQUESTS FOR PRODUCTION**

### **REQUEST FOR PRODUCTION NO. 1:**

Please provide copies all recorded conversations between FirstEnergy Solutions and Bruce Snyder since May 22, 2013.

### **RESPONSE:**

Objection, this request seeks information either in possession of Mr. Snyder or within his knowledge. Subject to this objection, please see the CD's previously provided.

### **REQUEST FOR PRODUCTION NO. 2:**

Please provide documentation of all FirstEnergy Solutions initiated phone calls to Bruce Snyder since May 22, 2013.

### **RESPONSE:**

Objection, this request seeks information either in possession of Mr. Snyder or within his knowledge. Subject to this objection, please see the enclosed CD's and documents.

### **REQUEST FOR PRODUCTION NO. 3:**

Please provide copies of any and all documentation, including company policy documents that is related to your answers in Interrogatories 1, 2, 3, 4, 5, 6, 7 and 9.

### **RESPONSE:**

Objection, this request seeks information either in possession of Mr. Snyder or within his knowledge, is vague, overbroad and unduly burdensome. Subject to these objections, the information from Interrogatory No. 1 can be found at [www.fes.com](http://www.fes.com). No documentation exists for Interrogatories 3, 4 or 5. Please see the responses to Interrogatories 2 and 7 for this request. Production for Interrogatory No. 9 is enclosed.

**REQUEST FOR PRODUCTION NO. 4:**

Please provide copies of all FirstEnergy Solutions documentation sent to Bruce Snyder since May 22, 2013, excluding any documentation that was also sent to the PUCO.

**RESPONSE:**

Objection, this request seeks information either in possession of Mr. Snyder or within his knowledge, is vague, overbroad and unduly burdensome. Subject to these objections, see enclosures.

**REQUEST FOR PRODUCTION NO. 5:**

Please provide a copy of all FirstEnergy Solutions internal documentation, notes or computer records relating to Bruce Snyder's application for service or complaint since May 22, 2013.

**RESPONSE:**

Objection, this request seeks information either in possession of Mr. Snyder or within his knowledge, is vague, overbroad and unduly burdensome, seeks information protected by the attorney-client privilege and also requests information that is protected as work product. Subject to these objections, see enclosures.

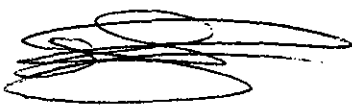
**REQUEST FOR PRODUCTION NO. 6:**

Please provide any evidence to show you had Bruce Snyder's consent to enroll him for electric service with FirstEnergy Solutions at \$.0594/KWh for three years.

**RESPONSE:**

Please see the call recordings and enclosures.

As to objections:



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Scott J. Casto

Respectfully submitted,



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Scott J. Casto (0085756)  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
(330) 761-7835  
[scasto@firstenergycorp.com](mailto:scasto@firstenergycorp.com)

Attorney for FirstEnergy Solutions Corp.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by Electronic and U.S. Mail to the following person on this 6th day of December 2013.

Mr. Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

A handwritten signature in black ink, appearing to read 'Scott J. Casto', written over a horizontal line.

Scott J. Casto

Attorney for FirstEnergy Solutions Corp.

Scott Casto  
Attorney330-761-7835  
Fax: 330-384-3875

Mr. Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

February 28, 2014

**Re:           *Bruce Snyder v. FirstEnergy Solutions Corp.***  
**Public Utilities Commission of Ohio**  
**Case No.: 13-2031-EL-CSS**

Dear Mr. Snyder,

Below please find a supplement to the FES response to Interrogatory No. 6, which corrects a typographical error:

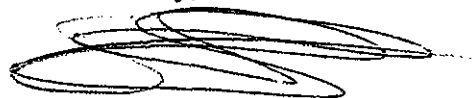
**INTERROGATORY NO. 6:**

Please state the first date after May 31, 2013 that FirstEnergy Solutions initiated contact of any kind with Bruce Snyder to inform him that the \$.0536/KWh offer for three years was limited to Duke Energy Ohio customers.

**ANSWER:**

Objection, this Interrogatory seeks information either in possession of Mr. Snyder or within his knowledge and also assumes incorrect facts. Subject to this objection, Mr. Snyder was made aware of the fact that the service rate of \$.0536/kWh he applied for was only available to customers of Duke Energy Ohio on the FirstEnergy Solutions website, through the Terms and Conditions he received and affirmatively acknowledged that he understood and also from FirstEnergy Solutions employees. Mr. Snyder was also notified of this fact on August, 5, 2013 and in subsequent interactions with FES.

Sincerely,



Scott J. Casto



July 11, 2014

**VIA REGULAR MAIL AND EMAIL**

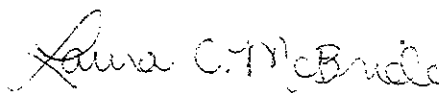
Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

Re: *In the Matter of the Complaint of Bruce Snyder v. FirstEnergy  
Solutions Corp.*  
Public Utilities Commission of Ohio  
Case No. 12-2031-EL-CSS

Dear Mr. Snyder:

Enclosed please find a service copy of *Respondent's Supplemental Responses to  
Complainant's Interrogatories* in the above-captioned matter.

Sincerely,



Laura McBride

Enclosure

CLEV1997 2100729v1  
29414.00053

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of Bruce	)	
Snyder,	)	Case No. 13-2031-EL-CSS
	)	
Complainant,	)	
	)	
v.	)	
	)	
FirstEnergy Solutions Corp.,	)	
	)	
Respondent.	)	
	)	

**RESPONDENT'S SUPPLEMENTAL RESPONSES**  
**TO COMPLAINANT'S INTERROGATORIES**

Pursuant to Rules 4901-1-16 and 4901-1-19, Ohio Administrative Code, Respondent FirstEnergy Solutions Corp. ("FES") submits this *supplemental* response to Complainant Bruce Snyder's Interrogatories:

**INTERROGATORY NO. 8:**

Please identify each and every person you expect to call as a witness at hearing in this proceeding, their address and phone number, and the substance of the facts to which each such witness is expected to testify.

**SUPPLEMENTAL ANSWER:**

FES expects to call Matthew Green, Manager of Retail Services Management, as a witness at hearing in this proceeding. Mr. Green will testify regarding FES's enrollment policies and procedures and FES's handling of Complainant's attempt to enroll with FES. Mr. Green can be contacted through counsel for FES.



Scott J. Casto (#0085756)

Counsel of Record

FirstEnergy Service Company

76 South Main Street

Akron, Ohio 44308

Phone: (330) 761-2352

Fax: (330) 384-3875

scasto@firstenergycorp.com (Willing to accept service by email)

Laura C. McBride (#0080059)

ULMER & BERNE LLP

1660 West 2<sup>nd</sup> Street, Suite 1100

Cleveland, Ohio 44113

Phone: (216) 583-7034

Fax: (216) 583-7035

lmcbride@ulmer.com (Willing to accept service by email)

*On behalf of FirstEnergy Solutions Corp.*

### **CERTIFICATE OF SERVICE**

A copy of the foregoing *Respondent's Supplemental Responses to Complainant's*

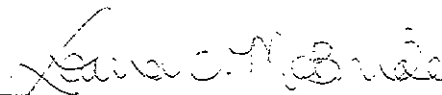
*Interrogatories* was served this 11th day of July, 2014, via electronic mail and regular mail on:

Bruce Snyder

4461 Powder Horn Drive

Beavercreek, OH 45432

snyderbd888@sbcglobal.net



On behalf of FirstEnergy Solutions Corp.

## FirstEnergy Solutions Corp. – Residential Terms and Conditions

These Terms and Conditions together with the enrollment materials are your Agreement for electric generation service with FirstEnergy Solutions Corp. ("FES"). Please keep a copy for your records.

FES is certified by the Public Utilities Commission of Ohio ("PUCO") to offer and supply electric generation services in Ohio and is an affiliate of Ohio Edison, The Toledo Edison, and The Cleveland Electric Illuminating companies. As a Competitive Retail Electric Service ("CRES") provider, FES will supply the electric generation to Duke Energy Ohio, Inc., your Electric Distribution Utility ("EDU"), based on your usage. Your EDU then distributes or delivers the electricity to you. FES sets the generation prices and charges that the customers pay. The PUCO regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.

### DEFINITIONS:

**Generation Charge** – Charge for the production of electricity.

**Transmission Charge** – Charge for moving high voltage electricity from a generation facility to the distribution lines of an EDU.

**Distribution Service** – Basic service for delivering electricity over a distribution system to a customer from the transmission system.

**RTO** – Regional Transmission Organization.

**Right of Rescission** – If you are a new or returning customer to FES, your EDU will send you a confirmation letter once you have been enrolled to receive generation service from FES. You have a right to rescind your enrollment within seven (7) calendar days following the postmark date of the confirmation letter by following the instructions contained in the letter. The Right of Rescission only applies when a customer switches to a generation supplier and not on renewal enrollments. Your EDU will not send a confirmation notice upon any renewal of this Agreement.

### TERMS AND CONDITIONS OF SERVICE

1. **Eligibility.** Only residential customer accounts that are on rate code(s) RS (referred to here as "Customer") are eligible for this offer, except that the following customers are not eligible for this offer: (1) any customer accounts participating in energy assistance or low-income rate programs that will pay a higher rate or that will be otherwise negatively affected under this Agreement; (2) any customer of an electric cooperative or municipally owned utility; or (3) any net metered customers. FES reserves the right to refuse enrollment to any Customer with an outstanding balance. No other rate codes will be accepted.

2. **Basic Service Prices.** During the term of this Agreement, you agree to pay FES a fixed price of 5.36 cents per kilowatt-hour for a combined Transmission, Generation, and Generation Related Charges ("Retail Electric Service").

In addition to FES' charges, you will be charged by your EDU for distribution and various other charges. In addition to the charges described above, if any RTO or similar entity, EDU, governmental entity or agency, North American Electric Reliability Corporation or other industry reliability organization, or court requires a change to the terms of the Agreement, or imposes upon FES new or additional charges or requirements, or a change in the method or procedure for determining charges or requirements, relating to your Retail Electric Service under this Agreement (any of the foregoing, a "Pass-Through Event"), which are not otherwise reimbursed to FES, Customer agrees that FES may pass through any additional cost of such Pass-Through Event, which may be variable, to Customer. Changes may include, without limitation, transmission or capacity requirements, new or modified charges or shopping credits, and other changes to retail electric customer access programs.

3. **Length of Agreement.** Your Retail Electric Service from FES, under the terms of this Agreement, will commence with the next available meter reading following any applicable rescission period, the acceptance of the enrollment request by FES (at its discretion and consistent with Paragraph 7 below), and the processing of the enrollment by your EDU. Your Retail Electric Service will continue until your June 2016 meter read date, unless renewed in accordance with Paragraph 8.

4. **Billing.** You will continue to receive a single bill from your EDU that will contain both your EDU and FES charges. FES reserves the right to unilaterally modify this billing format/pricing in the event the EDU is unable or unwilling to provide consolidated billing in this format or changes the calculation of the Price to Compare. FES does not offer budget billing. If you do not pay your bill by the due date, FES may cancel this Agreement after giving you a minimum of fourteen (14) days written notice. Upon cancellation you will be returned to your EDU as a customer for Retail Electric Service. You will remain responsible to pay FES for any Retail Electric Service used before this Agreement is cancelled, as well as any late payment charges. Further, your failure to pay EDU charges may result in your electric service being disconnected in accordance with the EDU tariff until the entire balance is paid in full.

5. **Penalties, Fees and Exceptions.** Your EDU may charge you switching fees. If you do not pay the full amount owed FES by the due date of the bill, FES may charge a 1.5% per month late payment fee.

6. **Cancellation/Termination Provisions.** If this Agreement is not rescinded during any applicable rescission period, then your enrollment will be complete. Thereafter, you may terminate this Agreement, without penalty, only if you move out of the EDU service territory or into an area where FES will charge a different price. There will be a \$100.00 charge if you terminate this Agreement for any other reason, except as expressly provided herein. Should you cancel Retail Electric Service with FES and return to standard offer

service with your EDU, you may not be served under the same rates, terms, and conditions that apply to other EDU customers. Customer and FES both agree that the following will constitute force majeure events under this Agreement and that FES shall have the right to terminate or modify the agreement without liability if: (1) the Electric Security Plan (ESP), Market Rate Offer (MRO) and/or Competitive Bid Process (CBP), or other generation procurement process results in a Price To Compare (PTC) that is equal to or less than the comparable annualized generation and transmission rates and riders in effect as of the effective date of this Agreement or (2) the PUCO approves or implements a phase-in credit for generation and/or transmission charges of the EDU or takes any other action which affects the PTC or otherwise does not allow the EDU to reflect the full cost to procure generation and transmission in the PTC or other regulatory action. In the event that the program is terminated, you will be returned to your EDU's standard service offer.

7. **Customer Consent and Information Release Authorization.** By choosing to accept this offer from FES, you understand and agree to the terms and conditions of this Agreement with FES. You authorize FES to obtain your information from your EDU that includes, but is not limited to: billing history, payment history, historical and future electricity usage, meter readings, and characteristics of electricity service. FES reserves the sole right to determine if your credit standing is satisfactory before accepting your enrollment request. This Agreement shall be considered fully executed by FES following acceptance of your enrollment request by FES, the end of any applicable rescission period, and subsequent acceptance of the enrollment by your EDU.

8. **Contract Expiration / Automatic Renewal.** At the end of its term, this Agreement will expire, or at FES' option, automatically renew for a term less than or equal to its initial term unless you affirmatively cancel the Agreement. The termination fee during any renewal term will be \$25. You will receive two notifications from FES in the thirty-five (35) to ninety (90) days that precede either the expiration date of this Agreement or the effective date of any changes FES proposes to its terms of service. The first notice will be a written one. In these advance notifications FES will explain your options, which may include renewing the Agreement, the specified rate, proposed changes if any, and what actions you must take to cancel the Agreement. You are responsible for arranging your Retail Electric Service upon the expiration of the Agreement.

9. **Dispute Procedures.** Contact FES with any questions concerning the terms of service by phone at 1-888-254-6359 (toll-free) M-F 8 a.m. – 5 p.m. EST or in writing at 341 White Pond Drive B2, Attn: Contract Administration, Akron, OH 44320. Our web address is [www.fes.com](http://www.fes.com). If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays or at [www.PUCO.ohio.gov](http://www.PUCO.ohio.gov). Residential customers may also contact the Ohio Consumers' Counsel (OCC) for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays or at [www.pickocc.org](http://www.pickocc.org).

10. **Miscellaneous.** You have the right to request from FES, twice within a twelve (12) month period, up to twenty-four (24) months of payment history, without charge.

FES will not release your Social Security number and/or account number(s) without your written consent except for the FES' collections and reporting, participating in programs funded by the universal service fund, pursuant to section 4928.54 of the Revised Code, or assigning a Customer's contract to another CRES provider.

FES' environmental disclosure statement is available for viewing on our website – [www.fes.com](http://www.fes.com). FES will make the required quarterly updates to the statement electronically on our website and will also provide the information upon request.

FES may assign its rights to another, including any successor, in accordance with the rules and regulations of the PUCO.

FES assumes no responsibility or liability for the following items that are the responsibility of the EDU: operation and maintenance of the EDU's electrical system, any interruption of service, termination of service, or deterioration of the EDU's service. In the event of a power outage, you should contact your EDU.

Customer is responsible for providing FES with accurate account information. If said information is incorrect, FES reserves the right to reprice the applicable account(s) or terminate the Agreement.

FES reserves the right to return Customer to the EDU if Customer's rate code is changed and the account is no longer eligible for this program.

Customer authorizes, but does not obligate, FES to exercise Customer's governmental aggregation opt-out rights.

11. **Warranty.** FES warrants title and the right to all electricity sold hereunder. THE WARRANTIES SET FORTH IN THIS PARAGRAPH ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES, WHETHER STATUTORY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ARISING OUT OF ANY COURSE OF DEALING OR USAGE OF TRADE.

2013 OCT -2 PM 12:37

Case Number  
Public Utilities Commission of Ohio  
Attn: Docketing  
180 E. Broad St.  
Columbus, OH 43215

Formal Complaint Form

13-2031-EL-CSS

Bruce Snyder  
Customer Name (Please Print)

4461 Powder Horn Drive  
Customer Address

Beavercreek OH 45432  
City State Zip

**Against**

3154719158  
Account Number

Customer Service Address (if different from above)

FirstEnergy Solutions  
Utility Company Name

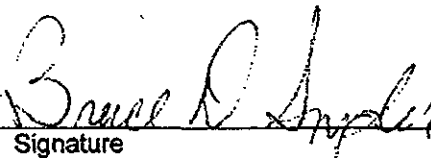
City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

On May 22, 2013 I applied for electric service online at FES Solutions (FES) website for a \$.0536/KWh rate for three years. On May 30, 2013 I received a letter in the mail saying FES was having difficulty enrolling my account and requested that I call FES at my earliest convenience. I called FES on May 31, 2013 and talked to Steve, answered all his questions including who my current service provider was (Dayton Power and Light (DP&L)) and confirmed the website rate of \$.0536/KWh was still valid and that service at that rate would start in June 2013 (FES recorded this conversation and the Public Utility Commission of Ohio (PUCO) and I have a copy of that recording). Actually, if you listen to this conversation Steve first brings up the fact that I'm a DP&L customer before I'm asked to confirm I'm a DP&L customer. Based on this conversation, I believed electric service with FES would start on June 20, 2013 (next meter reading date) at \$.0536/KWh for three years. FES did not contact or inform me to expect anything different.

I received my June - July 2013 DP&L bill on July 28, 2013 and noted that my electric provider had not changed to FES as expected. I contacted FES on July 29, 2013 and was informed that the problem would be taken care of and I would be enrolled as soon as possible. FES gave me a

See attached continuation sheet.

  
Signature

937 405-3642

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business  
Technician AN Date Processed OCT 02 2013

### Continuation sheet

confirmation number of 1446043 for this exchange. I also told FES I would be looking for them to reimburse me the difference in rates since June 20, 2013 since they led me to believe that service at the lower rate would begin at that time. I didn't hear anything back from FES as expected so I called FES again on August 5, 2013 and spoke to Toniquia and initially received a response similar to the one I received on July 29<sup>th</sup>. After a very lengthy time on hold I was informed that the offer I applied for was only valid for Duke Energy customers (FES recorded this conversation and the PUCO and I have a copy of that recording). I referred Toniquia to the May 31, 2013 conversation where I was certain that I informed FES that I was a DP&L customer. I also informed FES that DP&L gave me until 12 days prior to the next meter reading date (August 22, 2013) to change providers otherwise DP&L would become my default provider at a much higher rate. I advised FES that they would have to resolve any problems and sign me up at the promised rate prior to this time in order to start service. FES said they would perform an investigation and get back to me. FES didn't get back to me so I continued to call them and this process repeated itself over and over again for the next month with most of the additional calls I made to FES listed below:

August 9, 2013, spoke to Lisa

August 9, 2013, spoke to Kim and Terri (supervisor)

August 16, 2013, spoke to Fred Maurer

August 16, 2013, spoke to Matt

August 20, 2013, spoke to Michelle

FES has recordings of all these conversations but they have not been made available to me or the PUCO. Through these conversations, I was accused of incorrectly entering names, zip codes, account numbers, ... on the online application for service. The facts show that all information was entered correctly, otherwise the incorrect information would have been included in the letter that FES mailed to me on May 28, 2013 but all information was correct on that letter. Eventually I spoke several times to Fred Maurer who is a senior customer service representative at FES. On August 31, 2013 Fred said he would try to get me the best rate he could and got back to me approximately 2 weeks later with an offer of \$.0594/KWh (same offer I declined on August 5<sup>th</sup>). I declined that offer and again asked Fred to listen to the May 31 recording where I recalled that FES agreed to the \$.0536/KWh rate for three years. Several days later I received a letter in the mail with notice that FES had signed me up for a \$.0594/KWh rate for three years without my consent. I called both DP&L and Fred to cancel the change of service request. I asked Fred why he had submitted the service change request without my consent and he replied that he thought he had my consent. I had previously asked Fred about reimbursement of the difference in charges between what I would have paid under the FES rate versus the rate I was actually paying and Fred informed that he would try to get

reimbursement but he couldn't guarantee anything. FES should also have this conversation recorded but I don't have a copy of that recording.

At this point FES assigned Becki Pastier (customer acquisition analyst) to work the issue and she called me in early September 2013. Becki said she had looked into my online application and she said the FES system cues on the zip code entered online to determine the service area (DP&L, Duke, ...). Becki said she noted that I had entered everything correctly online and she didn't know how I was allowed to complete the application for service at the \$.0536/KWh rate for three years with the zip code I had entered. Becki informed me that she could get me reimbursement for the difference in charges listed above if I sent her copies of my DP&L bills. Becki then asked if this would be sufficient to resolve the matter. I told her that I still believed that FES agreed to the \$.0536/KWh rate during the May 31, 2013 conversation knowing that I was a DP&L customer and that I wouldn't agree that the issue was resolved until the recording of that conversation was sent to the PUCO. Becki agreed to do that but then thought the matter was resolved even though the recording clearly showed that FES knew I was a DP&L customer and still offered me the \$.0536/KWh rate for three years. I don't know if FES recorded the conversation with Becki Pastier but I do have several email exchanges that support what I have stated above.

If FES subsequently realized they had made a mistake in making this offer to me, they had an obligation to inform me of this error in a timely manner so I could sign up for service with another company. FES didn't inform me until over two months later even though I had initiated two calls to FES in the intervening two plus months. I have been dealing with FES in good faith in trying to resolve this matter but FES has not been dealing in good faith in kind as demonstrated by their attempt to sign me up for service with their company at a higher rate and delaying resolution when FES has had all the data to resolve this (through recorded conversations) at any time. I believe a contract was in place between FES to provide electric energy service at \$.0536/KWh for three years as evidenced by the May 31, 2013 telephone conversation and FES is reneging on that contract. I just received my August – September electric bill but I have not forwarded any bills onto FES. I'm afraid that FES will construe this action as full settlement in this case and that is not acceptable.

I am seeking compensation for 1) lost savings over the three years that the \$.0536/KWh rate was offered to me 2) time spent trying to resolve this issue while FES was not dealing in good faith 3) additional time I must now spend to sign up for electric service over next three years 4) phone calls made to FES 5) copying/mailling costs to file this claim and provide evidence to PUCO 6) travel to hearings in Columbus 7) time off work to resolve this issue 8) compensation for breaking the contract for electric service without my consent. This comes out to be approximately \$15,000.

## Bruce Snyder

---

**From:** fescustomer@fes.com  
**Sent:** Wednesday, May 22, 2013 12:22 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Your FirstEnergy Solutions Enrollment

Thank you for choosing FirstEnergy Solutions as your electric generation supplier! Please print this document and your Terms and Conditions as a record of your enrollment.

Confirmation number: bb4d0d82dfda465ae0

Selected Offer: 5.36 cents/kWh through June 2016 ✓

Your contract start date will begin at the earliest possible meter read date. When your contract ends, FirstEnergy Solutions will contact you and offer you a competitive renewal price.

As a reminder, you will receive a confirmation letter from Duke Energy when your enrollment is processed. You DO NOT need to respond to the letter from your utility in order to continue your enrollment with FirstEnergy Solutions.

We appreciate your business and the opportunity to serve you. If you have any questions regarding your account with FirstEnergy Solutions, please call us at 1-877-204-9520, Monday through Friday, 8 a.m. to 5 p.m.

Again, thank you for enrolling with FirstEnergy Solutions.

---

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5 days  
8/6/13

Date: 05/28/2013



SINGLE-PIECE C 1 P 2 88 1 SP 0.477  
Bruce Snyder  
4461 POWDER HORN DR  
BEAVERCREEK OH 45432-4029

86

Called  
Steve  
8/31/13  
all info correct

will refund  
may, don't say

Dear Bruce Snyder,

RE: Customer/Account Number: 3154719158

Conf #

144 6043

29 Jul  
said would  
be taken care of

Thank you for choosing FirstEnergy Solutions (FES) as your electric generation supplier. Unfortunately, we are having difficulty enrolling your account. According to your local electric utility company, the customer/account number you provided to FES for enrollment is not valid.

Please call us at 1-888-254-6359 (Monday through Friday, 8 AM to 5 PM) at your earliest convenience, so that we can resolve any issues and sign you up as a customer.

When calling, please make sure you have your most recent electric bill on hand. We appreciate the opportunity to serve you and look forward to helping you save on your electric generation.

Sincerely,

Stephen C. Reifsnyder  
Manager, Customer Care  
FirstEnergy Solutions

Toniquia  
5 Aug 13

Lisa  
9 Aug

Kim Kdollyesummit  
9 Aug  
add.com

Terri supervisor  
330 436 5880

Michelle 8/20/13

Customer Service  
\* Fred  
8/16/13

330 436-1547

will resolve problem  
start service ASAP  
Scan/Fax DPOL Bills  
and he will credit  
difference back to  
account

Matt

2 months  
re calculate



The Dayton Power and Light Company

Working For You Today and Tomorrow



08/01/2013



000001209 1 AT 0.384 T:006  
ELIZABETH A SNYDER  
4461 POWDER HORN DR  
BEAVERCREEK OH 45432-4029



ACCOUNT: 3154719158  
SERVICE ADDRESS: 4461 POWDER-HORN DR

Dear Customer:

We have received a notification from DUKE ENERGY RETAIL SALES, LLC that they will no longer be providing your electric service effective 08/22/2013. You may either select a new supplier, or return to DP&L'S STANDARD OFFER. A new supplier must notify DP&L of its intent to supply your electric service a minimum of 12 days prior to a scheduled meter reading date.

*K9 AVO*  
It is important that DP&L obtain an actual meter reading prior to changing your supplier to ensure the change is based on an actual reading rather than estimated usage. A representative is scheduled to read the meter on 08/22/2013.

This change in your electric service will first be reflected on the DP&L bill mailed to you on 09/24/2013. Under DP&L'S STANDARD OFFER, your monthly DP&L bill will contain our electric, delivery service and generation service charges. We are pleased to once again be your supplier of choice. Please call 331-3500 or 1 (800) 929-8646 if you have any questions.

The Dayton Power and Light Company

08/16/2013

0000242 20130816 IHG7D101 MOEL-160 1 OZ DOM IHG7D10000\* 160408 DX



ELIZABETH A. SNYDER  
4461 POWDER HORN DR  
BRUCE  
BEAVERCREEK OH 45432-4029



RE: Customer/Account Number 3154719158

Dear Elizabeth A. Snyder:

Thank you for choosing FirstEnergy Solutions as your electric generation supplier and securing a great low generation price!

Here are some important reference items you will need when reviewing your terms with FirstEnergy Solutions:

Electric Utility	Price per kWh	Cancellation Fee (For early termination of this agreement)	Service Address	Contract Term
Dayton Power and Light Co.	5.94¢/kWh through June 2016 meter read	\$25.00 for each account less than 99,999 annual kWh	4461 Powder Horn Dr Bruce, Beavercreek, OH 45432-4029	Through 4461 Powder Horn Dr Bruce meter read

When your current contract is coming to an end, FirstEnergy Solutions will provide a competitive renewal price because we want to keep you as a customer for years to come.

We've enclosed your post-enrollment materials, which include a copy of the terms and conditions under which we will provide electric generation service to you. These documents are for your files and for your reference -- no further action is required on your part.

If your personal information above is incomplete or incorrect, or if you have any questions regarding your account with FirstEnergy Solutions, please call us at 888-254-6359, Monday through Friday, 8AM to 5PM. We appreciate your business and the opportunity to serve you.

Sincerely,

Stephen Reifsnyder  
Customer Care Manager  
FirstEnergy Solutions Corp.



## Bruce Snyder

---

**From:** Bruce Snyder <snyderbd888@sbcglobal.net>  
**Sent:** Wednesday, September 18, 2013 11:26 PM  
**To:** 'rpastier@firstenergycorp.com'  
**Cc:** 'ContactThePUCO@puc.state.oh.us'  
**Subject:** RE: Becki Pastier email

Becki,

If you agreed to the rate on 31 May, you agreed to the rate and you can't take it back at your choosing. You have a much bigger liability here and the fact that you have been trying to blame me for applying for a rate that you say wasn't extended to me makes this even worse. Even if the offer didn't apply to me when I applied online on 22 May, the offer was extended to me on 31 May. If you are unwilling to extend that rate to me now, according to the terms agreed to, then I will have to seek legal action since the evidence is overwhelmingly in my favor. I have been extremely patient with First Energy up to this point but that is about to change if you don't make this right.

Bruce Snyder  
PUCO Case # BSNY0812134U

**From:** rpastier@firstenergycorp.com [mailto:rpastier@firstenergycorp.com]  
**Sent:** Wednesday, September 18, 2013 4:36 PM  
**To:** Bruce Snyder  
**Subject:** RE: Becki Pastier email

Hi, Bruce,

Please be advised that my offering to send the CD with the recorded calls to you was incorrect. Our company policy does not allow me to do that, however, I am sending it to the PUCO and if they chose to send that along to you, that is at their discretion.

On the May 31, 2013 call, there is reference and agreement from both parties, FES & you, that your utility is DPL.

On the August 5, 2013 call, there was discussion concerning the rejected enrollment, the amount of letters in the account number, clarification on the name on the account (Elizabeth), that the \$0.0536 offer for DPL had expired, and that the account enrolled was not eligible for that offer since the account was under the DPL utility.

I will wait on those 3 invoices for lost savings.

Thank you kindly,

Becki Pastier  
Customer Acquisition Analyst | FirstEnergy Solutions  
Mobile: 330-697-8951 | Office: 330-436-1402  
Fax: 330-315-9162  
rpastier@fes.com | Web: fes.com

**FirstEnergy**  
Solutions

Switch. Save. FES.com

"Start by doing what's necessary, then what's possible; and suddenly you are doing the impossible."

Saint Francis of Assisi

From: "Bruce Snyder" <[snvdenbd888@shcniglobal.net](mailto:snvdenbd888@shcniglobal.net)>  
To: <[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)>  
Cc: <[ContactThePUCO@puc.state.oh.us](mailto:ContactThePUCO@puc.state.oh.us)>  
Date: 09/17/2013 10:57 PM  
Subject: RE: Becki Pastier email

---

Becki,

Can you be more specific on the date of the calls that you have and what they say (or better yet send me the recordings in a format that I can listen to)? On the 31 May call I answered many specific questions about my current account and I confirmed the rate that was offered. Your statement below leads me to believe that First Energy was informed during the phone call that I was a DP&L customer and you were proceeding with the enrollment knowing that fact. Kelly at PUCO called today and said she received the recordings but they were not in a format she could listen to.

I was a Duke Energy customer from June to August at which time my account switched to DP&L for the August to September billing.

Bruce Snyder  
BSNY0812134U

From: [rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com) [<mailto:rpastier@firstenergycorp.com>]  
Sent: Tuesday, September 17, 2013 8:58 AM  
To: Bruce Snyder  
Subject: RE: Becki Pastier email

Good morning, Bruce,

I do have 2 of the phone recordings and I will forward them to the PUCO per your request. They indicate that you were advised that the enrollment was in process on the first phone call and that you would be contacted in a timely manner for you to enroll for August on the 2nd call.

As such, lost savings are being offered for the difference between the Dayton Power & Light price to compare and the price of \$0.0536 per kilowatt hour for the June to July, July to August, and August to September bill.

Please let me know how you will be forwarding the bills to me so that I know where to watch for them.

Feel free to reach out to me with any questions.

Thank you so much and have a super day!

Becki Pastier  
Customer Acquisition Analyst | FirstEnergy Solutions  
Mobile: 330-697-8951 | Office: 330-436-1402  
Fax: 330-315-9162  
[rpastier@fes.com](mailto:rpastier@fes.com) | Web: [fes.com](http://fes.com)

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"Start by doing what's necessary, then what's possible; and suddenly you are doing the impossible."

Saint Francis of Assisi

From: "Bruce Snyder" <[snyderbd888@sbcglobal.net](mailto:snyderbd888@sbcglobal.net)>  
To: <[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)>  
Date: 08/16/2013 11:15 PM  
Subject: RE: Beckl Pastier email

---

Becki,

I received your call today and have the June-July and July-August DP&L bills scanned in but I don't have the August-September bill yet and probably won't get it until October. You didn't say anything about the phone recordings that you should have access to by now. Do you have those recordings and if so, do they confirm what I've been telling First Energy for several months now? Have you sent those recordings off to the PUCO? That was our agreed to way forward so if you don't plan to do that I need to know why.

Bruce Snyder

From: [rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com) [<mailto:rpastier@firstenergycorp.com>]  
Sent: Monday, September 9, 2013 8:27 AM  
To: [snyderbd888@sbcglobal.net](mailto:snyderbd888@sbcglobal.net)  
Subject: Beckl Pastier email

Good morning, Bruce,

Fred Maurer forwarded your email to me. Please find my contact information attached.

I am in process of pulling all associated calls, per your request. I had hoped to have them Friday, but should have them in the next couple days.

Thanks for your patience!

Becki Pastier  
Customer Acquisition Analyst | FirstEnergy Solutions  
Office: 330-436-1402  
Fax: 330-315-9162  
[rpastier@fes.com](mailto:rpastier@fes.com) | [Web:fes.com](http://Web:fes.com)

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Saint Francis of Assisi

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First Choice / System / FirstEnergy

08/12/2013 10:21 AM

To Retail Service  
Management@FirstEnergy  
cc  
Subject Bruce Snyder  
FES.com Forward for  
FES-081213-091124

PUCO COMPLAINT

Warning: Email address has caused delivery failures

## Inbox Email

Request Number: FES-081213-091124  
FE User ID  
Date Created: 08/12/2013 09:11:24 AM  
Status: Active  
Source: Email  
Assigned To: FES.com FirstChoice  
Last Replier:

### History

#### User Information and Comments

Date Created: 08/12/2013  
FormType:  
First Name, Last Name:  
Sent To: First Choice/FirstEnergy  
Company Name:  
Requestor Email: <ContactThePUCO@puc.state.oh.us>  
Subject: Electric Provider Complaint 5 Days. Case: BSNY0812134U  
Message:

PUBLIC UTILITIES COMMISSION OF OHIO

Initial Submission of a Consumer Complaint  
Provider of Electric

Please respond within 5 business days via e-mail or by fax

CASE ID: BSNY0812134U

CUSTOMER: Bruce Snyder

COMPANY:

ADDRESS: 4461 Powder Horn Dr

Beavercreek, OH 45432

SERVICE ADDRESS: 4461 Powder Horn Dr, Beavercreek OH, 45432, Greene

ACCOUNT NUMBER:

NIQ: (937) 405-3642  
CBR:

DESCRIPTION OF ISSUE:

Customer enrolled with FES online and received confirmation via email on 5-22-13 for a rate of \$0.536 for 3 years. FES never enrolled him on this rate or enrolled him at all. When he contacted the company, he was told they can no longer offer the rate he signed up for.

Customer did receive a letter saying that said FES was having difficulty enrolling his account on 5-28-13. Customer called the company and spoke to Steve on 5-31 and he said his acct would be trsf to FES on 6-20-13. This raised an eyebrow when the customer never saw FES on his last bill.

Advised the customer that if he has confirmation with that rate, the company "has" to bill him as such. Advised I will contact the company to verify WHY they offered a rate and he accepted, but now they are not honoring it. I will also inquire as to why he was never enrolled.

Sincerely,

Kelly Mabra  
Compliance Investigator  
Investigation and Audit Division

614-995-2008 Fax



- Your FirstEnergy Solutions Enrollment.html

\*\*\*\*\* END OF DOCUMENT \*\*\*\*\*



August 16, 2013

To: Kelly Mabra  
Compliance Investigator  
Investigation and Audit Division  
Public Utilities Commission of Ohio  
Case ID: BSNY0812134U  
RE: Bruce Snyder  
Service Address: 4661 Powder Horn Dr. Bevercreek, Ohio 45432  
Utility Number: 3154719158

Darita,

We are following up with you on Case ID: BSNY0812134U, regarding Bruce Snyder. The customer's complaint pertains to an internet enrollment failure into a FirstEnergy Solutions (FES) program.

According to FES records, Mr Snyder submitted an Internet enrollment to FES on May, 22, 2013 . The offer for residential customers was for a guaranteed price of 5.36 cents per kilowatt hour (kWh) through his June, 2016 billing cycle. The offer carries a \$100.00 early termination fee.

When a customer enrolls on line, he is presented a copy of the terms and conditions of the offer before the data is saved. The system also prompts the customer to print off a copy of the document.

On May 24, 2013, Duke Energy rejected the FES enrollment request as "Account Not Found". This was the result of Mr. Snyder having selecting Duke Energy as his current utility on our enrollment form. Dayton Power & Light is his utility.

When Mr Snyder called FES to investigate the issue, he was told that the offer was no longer available.

I spoke with Mr Snyder on August 16, 2013, and advised him that the enrollment will now be sent to DPL at 5.94 cents per kWh through June 2016 and a lost savings credit will be processed for the months of March 2013 through August 2013

The new offer carries a \$25.00 ETF.

Mr. Snyder was satisfied.

Let me know if there is anything else we can provide.

Thank you,

Frederick S. Maurer  
FirstEnergy Solutions Customer Care

Phone: 1-330-436-1547

Fax: 1-888-820-1416

Email: [Firstchoice@FES.com](mailto:Firstchoice@FES.com)



First Choice /System/FirstEnergy

09/17/2013 03:05 PM

To Retail Service  
Management@FirstEnergy

cc

Subject Bruce Snyder - Follow Up  
FES.com Forward for  
FES-091713-025538

PUCO COMPLAINT - FOLLOW UP

Warning: Email address has caused delivery failures

## Inbox Email

---

Request Number: FES-091713-025538  
FE User ID  
Date Created: 09/17/2013 02:55:38 PM  
Status: Active  
Source: Email  
Assigned To: FES.com FirstChoice  
Last Replier:

### History

---

#### User Information and Comments

Date Created: 09/17/2013  
FormType:  
First Name, Last Name:  
Sent To: First Choice/FirstEnergy  
Company Name:  
Requestor Email: <ContactThePUCO@puc.state.oh.us>  
Subject: Follow-up E-mail. Case: BSNY0812134U

#### Message:

Public Utilities Commission of Ohio  
Investigation and Audit Division

#### Memorandum

Re: Bruce Snyder

4461 Powder Horne Dr

Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

#### Notes:

The voice recordings did not come through. There was a lot of scattered letters...opposed to

giving me the option to press play.

Could you please send the customer (copy me) the recordings at [snyderbd888@sbcglobal.net](mailto:snyderbd888@sbcglobal.net)?  
He was also made aware that this issue originated by him stating Duke was the correct supplier in stage one of the enrolment. I went through a dummy enrolment and also told him how someone could miss that (if rushing), because it is already filled in with the company name. He is aware that of the courtesy credits as well.

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD

\*\*\*\*\* END OF DOCUMENT \*\*\*\*\*

September 17, 2013

To: Kelly Mabra  
Compliance Investigator  
Investigation and Audit Division  
Public Utilities Commission of Ohio  
Case ID: BSNY0812134U  
RE: Bruce Snyder  
Service Address: 4461 Powder Horn Dr, Beavercreek, OH 45432  
Utility Number: 3154719158

Dear Kelly,

We are following up with you on Case ID: BSNY0812134U, regarding Bruce Snyder. The customer's complaint pertains to a delayed enrollment with FirstEnergy Solutions (FES).

On May 24, 2013, Mr. Snyder enrolled with FES via the web. The enrollment elected was a Duke offer. Mr. Snyder is a Dayton Power & Light customer, however, he stated that he had Duke Energy as his supplier at the time.

An enrollment rejection was sent to Mr. Snyder on May 24, 2013.

Mr. Snyder called the FES contact center on May 31, 2013. As both utilities have the same number of digits in their account numbers, and Duke Energy was listed as the customer's utility, there was confusion regarding the enrollment and the representative inadvertently told Mr. Snyder that the enrollment was in process.

Mr. Snyder called the FES contact center again on August 5, 2013 and was advised that we were unable to provide the rate of \$0.0536 per kilowatt hour (kWh) for the Dayton Power & Light enrollment as that offer was for Duke customers only. Variances in tariffs and markets distinguish rate offers from utility to utility. An offer for one Electric Distribution Company (EDC) is not available for any other EDC.

FES offered Mr. Snyder a rate of \$0.0594 per kwh for which he declined.

Copies of contact center calls between Mr. Snyder and FES for the dates of May 31, 2013, and August 5, 2013 are attached per the customer's request.

In the interest of good customer service, FES is willing to pay Mr. Snyder the difference between the Dayton Power & Light price to compare or the supplier price on his bill and \$0.0536 / kwh for the months of June to July, July to August, and August to September 2013.

Mr. Snyder indicated he would be sending copies of bills to FES for lost savings.

Let me know if there is anything else we can provide.

Thank you,

Becki Pastier  
FirstEnergy Solutions Customer Care

Phone: 1-330-436-1402

Fax: 1-888-820-1416

Email: Firstchoice@FES.com



Re: Becki Pastier email

Bruce Snyder

to:

rpastier@firstenergycorp.com

09/20/2013 05:00 PM

Cc:

"ContactThePUCO@puc.state.oh.us"

Hide Details

From: Bruce Snyder <snyderbd888@sbcglobal.net>

To: "rpastier@firstenergycorp.com" <rpastier@firstenergycorp.com>

Cc: "ContactThePUCO@puc.state.oh.us" <ContactThePUCO@puc.state.oh.us>

History: This message has been forwarded.

Beckie,

What you say is mostly correct but if you recall, you specifically asked me if reimbursement of lost savings was acceptable and I said no. I then said I needed to have PUCO listen to the 31 May telephone conversation before any further decisions were made. That is where we are today and the 31 May recording confirms all the allegations I have made and conclusively refutes most of what First Energy has been saying for the last four months. We can negotiate a settlement or I can speak to the Ohio Attorney General and get resolution that way, the choice is yours but the clock is ticking. I plan to start this process Tuesday morning unless we come to some written agreement prior to that time.

Bruce Snyder

PUCO Case # BSNY0812134U

Sent from my iPad

On Sep 20, 2013, at 8:17 AM, [rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com) wrote:

Hi, Bruce,

According to the phone call that you and I had, you stated that you had already elected another supplier and that what you were seeking from FirstEnergy Solutions was lost savings between what you had paid for electricity and \$0.0536 per kilowatt hour for your June to July 2013, July to August 2013, and August to September 2013 billings. We agreed to provide that to you and are now

waiting for invoices from you.

I will watch for those to be sent at your earliest convenience.

Thank you very much,

Becki Pastier

Customer Acquisition Analyst | FirstEnergy Solutions

Mobile: 330-697-8951 | Office: 330-436-1402

Fax: 330-315-9162

[rpastier@fes.com](mailto:rpastier@fes.com) | Web: [fes.com](http://fes.com)

<mime-attachment.gif>

True happiness... is not attained through self-gratification, but through fidelity to a worthy purpose.

Helen Keller

From: "Bruce Snyder" <[snyderbd888@sbccglobal.net](mailto:snyderbd888@sbccglobal.net)>

To: <[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)>

Cc: <[ContactThePUCO@puc.state.oh.us](mailto:ContactThePUCO@puc.state.oh.us)>

Date: 09/19/2013 03:26 AM

Subject: RE: Becki Pastier email

---

Becki,

If you agreed to the rate on 31 May, you agreed to the rate and you can't take it back at your choosing. You have a much bigger liability here and the fact that you have been trying to blame me for applying for a rate that you say wasn't extended to me makes this even worse. Even if the offer didn't apply to me when I applied online on 22 May, the offer was extended to me on 31 May. If you are unwilling to extend that rate to me now, according to the terms agreed to, then I will have to seek legal action since the evidence is overwhelmingly in my favor. I have been extremely patient with First Energy up to this point but that is about to change if you don't make this right.

Bruce Snyder

PU@CO Case # BSNY0812134U

From: [rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com) [mailto:[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)]

Sent: Wednesday, September 18, 2013 4:36 PM

To: Bruce Snyder

Subject: RE: Becki Pastier email

Hi, Bruce,

Please be advised that my offering to send the CD with the recorded calls to you was incorrect. Our company policy does not allow me to do that, however, I am sending it to the PUCO and if they chose to send that along to you, that is at their discretion.

On the May 31, 2013 call, there is reference and agreement from both parties, FES & you, that your utility is DPL.

On the August 5, 2013 call, there was discussion concerning the rejected enrollment, the amount of letters in the account number, clarification on the name on the account (Elizabeth), that the \$0.0536 offer for DPL had expired, and that the account enrolled was not eligible for that offer since the account was under the DPL utility.

I will wait on those 3 invoices for lost savings.

Thank you kindly,

Becki Pastier

Customer Acquisition Analyst | FirstEnergy Solutions

Mobile: 330-697-8951 | Office: 330-436-1402

Fax: 330-315-9162

[rpastier@fes.com](mailto:rpastier@fes.com) | Web: [fes.com](http://fes.com)

<mime-attachment.gif>

"Start by doing what's necessary; then what's possible; and suddenly you are doing the impossible."

Saint Francis of Assisi

From: "Bruce Snyder" <[snyderbd888@sbcglobal.net](mailto:snyderbd888@sbcglobal.net)>  
To: <[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)>  
Cc: <[ContactThePUCO@puc.state.oh.us](mailto:ContactThePUCO@puc.state.oh.us)>  
Date: 09/17/2013 10:57 PM  
Subject: RE: Becki Pastier email

---

Becki,

Can you be more specific on the date of the calls that you have and what they say (or better yet send me the recordings in a format that I can listen to)? On the 31 May call I answered many specific questions about my current account and I confirmed the rate that was offered. Your statement below leads me to believe that First Energy was informed during the phone call that I was a DP&L customer and you were proceeding with the enrollment knowing that fact. Kelly at PUCO called today and said she received the recordings but they were not in a format she could listen to.

I was a Duke Energy customer from June to August at which time my account switched to DP&L for the August to September billing.

Bruce Snyder  
BSNY0812134U

From: [rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com) [<mailto:rpastier@firstenergycorp.com>]  
Sent: Tuesday, September 17, 2013 8:58 AM

**To:** Bruce Snyder  
**Subject:** RE: Becki Pastier email

Good morning, Bruce,

I do have 2 of the phone recordings and I will forward them to the PUCO per your request. They indicate that you were advised that the enrollment was in process on the first phone call and that you would be contacted in a timely manner for you to enroll for August on the 2nd call.

As such, lost savings are being offered for the difference between the Dayton Power & Light price to compare and the price of \$0.0536 per kilowatt hour for the June to July, July to August, and August to September bill.

Please let me know how you will be forwarding the bills to me so that I know where to watch for them.

Feel free to reach out to me with any questions.

Thank you so much and have a super day!

Becki Pastier  
Customer Acquisition Analyst | FirstEnergy Solutions  
Mobile: 330-697-8951 | Office: 330-436-1402  
Fax: 330-315-9162  
[rpastier@fes.com](mailto:rpastier@fes.com) | Web: [fes.com](http://fes.com)

<mime-attachment.gif>

"Start by doing what's necessary, then what's possible; and suddenly you are doing the impossible."

Saint Francis of Assisi

From: "Bruce Snyder" <[snyderbd888@sbcglobal.net](mailto:snyderbd888@sbcglobal.net)>  
To: <[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)>  
Date: 09/16/2013 11:15 PM  
Subject: RE: Becki Pastier email

---

Becki,

I received your call today and have the June-July and July-August DP&L bills scanned in but I don't have the August-September bill yet and probably won't get it until October. You didn't say anything about the phone recordings that you should have access to by now. Do you have those recordings and if so, do they confirm what I've been telling First Energy for several months now? Have you sent those recordings off to the PUCO? That was our agreed to way forward so if you don't plan to do that I need to know why.



Bruce Snyder

**From:** [rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com) [mailto:[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)]  
**Sent:** Monday, September 9, 2013 8:27 AM  
**To:** [snyderbd888@sbcglobal.net](mailto:snyderbd888@sbcglobal.net)  
**Subject:** Becki Pastier email

Good morning, Bruce,

Fred Maurer forwarded your email to me. Please find my contact information attached.

I am in process of pulling all associated calls, per your request. I had hoped to have them Friday, but should have them in the next couple days.

Thanks for your patience!

Becki Pastier  
Customer Acquisition Analyst | FirstEnergy Solutions  
Office: 330-436-1402  
Fax: 330-315-9162  
[rpastier@fes.com](mailto:rpastier@fes.com) | Web: [fes.com](http://fes.com)

<mime-attachment.gif>

"Start by doing what's necessary, then what's possible; and suddenly you are doing the impossible."

Saint Francis of Assisi

----- The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

----- The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

Bruce Snyder  
133724907: Snyder, Br  
Invoices  
3154719158: Bruc

LDC Account | Details | Demographics | Bill Determinants | Proration | Rating Groups | Use  
EBT History | Prod and Serv | User Fields | Protections | Budget Billing | Contact

Transaction Id = 131430269102469 : Reference # = 131430269102469  
Creation Date = 05/23/2013 : Request Date = 05/23/2013  
Send Date = 05/23/2013 : Extract Date = 05/23/2013 06:03:07 AM  
Trans Type = Enrollment : Sub Type = Enrollment (Detail)  
Status = Closed  
Reason = HUOT  
Initiated internally : ESP - First Energy Solutions Corp. : LDC - Duke Energy Ohio  
LDC Acct # = 3154719158  
Response Date = 05/24/2013 : Status = Reject : Desc = A76

FILE

☒ Show Terminated

Close EBT Transaction

Make Resubmittable

Return To Grid

Description	Status	Start Date	End Date	Category	Employee Resp.	Notes
Enrollment Rejected--Operations Team	Open	05/24/2013	05/24/2013	Task		A76-Account not found
Inquiry JIR 1204950	Completed	05/31/2013	05/31/2013	Inbound	Stephen D Hogan / Akron	31547191583. Customer called to advise that he received a letter of rejection for his recent enrollment. Customer has verified his account # as well as his EDC which has since been updated in the system. A76-Account not found
Enrollment: Cust 0017618508 05/22/2013	Rejected - Operations	07/01/2013	06/30/2016			
enrollment issue IR 1446173	Completed	07/29/2013	07/29/2013	Inbound	Deborah A Ison /	C-00007739 5.3600 \$ kWh / 070113 - 063016 / \$100.00 / Dayton Power and Light Co. 3154719158 +1 (937) 427-0231 Bruce Snyder 31547191583. Customer called to advise that he received a letter of rejection for his recent enrollment. Customer has verified his account # as well as his EDC which has since been updated in the system. Steve told him that everything was ok on acct, but what happen is the acct is under his wife name and acct was to many number, asking about lose saving for 3 month s wife Izath snyder
Enroll Rejected/Cancelled/No Lost Saving	Completed		07/29/2013	Task	Robyn Speelman / Akron	Customer's May 2013 enrollment rejected due to the wrong name on the account. The correct account, in the wife's name, was enrolled on 8/16/2013, and the customer requested that the enrollment be cancelled. The customer's start date and end date were noted as 9/23/2013. The customer did not receive their transmission and generation service from FES, therefore, they will not receive lost savings. RS
Inquiry	Completed	08/05/2013	08/05/2013	Inbound	Tuniqua D Jennings /	3154719158 Cust called to see why he hasn't got enrolled with FES. Cust put in the wrong utility when he did enrollment he put his supplier instead of Dayton power and light which caused the enrollment to not get processed. All info was verified and corrected. Cust spoke to a rep Steve who he stated that he was reassured that he was going to be enrolled back with FES. Cust wasn't enrolled also made a request for lost savings IR#1446173. Spoke to sup D.B and he is going to have acct researched. Advised cust that he should hear from someone in 48 hours. Cust stated that he received a letter from DP&L stating he needed to find a supplier by 8/8/2013 or he would be paying a higher rate.
Customer Callback	Completed	08/09/2013	08/09/2013	Inbound	Lisa M Manes /	3154719158 Was researching the account for escalation and determined the online enrollment Bruce submitted 5/22/2013 was submitted to the incorrect utility - Duke Energy - at a rate of - Duke Web Only 3 year, 5.36 thru June 2016 Offer #C-00007739 - instead of the correct utility company - Dayton P&L. The enrollment was rejected by Duke Energy due to - Reject : Desc = A76 Account Not Found - as he wasn't a Duke Energy customer. Called Bruce back to advise that the rate he wants to be resubmitted was never available to him as the rate he enrolled in is not a valid rate for Dayton P&L customers. Offered to enroll him in the current available rate for Dayton P&L customers at - DPL 6+6.35M, 6.83 thru May 2016 w/\$100.00 ETF - Offer #C-00012117 - but he refused as he keeps insisting because FES sent him an e-mail confirmation of his original enrollment that FES should honor that rate and he would have to shop other rates before he would consider enrolling in the new rate offered. But he still wanted the request to enroll at the original rate of - Duke Web O

Rejected Enrollment Inquiry	Completed	08/09/2013	08/09/2013	Inbound	Lisa M Manes /	Bruce called about a continuing issue with rejected enrollment which he wants resubmitted providing it is at the same rate of .536 per kWh through June 2016 w/\$100.00 ETF. He stated he has spoken w/several representatives about this and was told 8/5/2013 he would receive a call back within 48 hours and hasn't as yet. The account is in his wife, Elizabeth's name, but the name listed in CRM is - Izali - I confirmed w/Bruce the spelling of his wife's name - Elizabeth - reviewed current available rates in the Enrollment Form and advised him the rate he enrolled in is no longer available and he stated he wanted the rate he enrolled in originally. Advised him I would need to further review the account to determine what has transpired thus far and how to proceed from here and asked I could call him back to advise and he refused and requested to speak w/a
research acct IR 1512058	Completed	08/15/2013	08/15/2013	Inbound	Deborah A Ison /	research customer acct to see if was re-enroll note in title
Enrollment	Completed	08/16/2013	08/16/2013	Inbound	Frederick S. Maurer / Akron	3154719156
Enrollment IR 1516877	Completed	08/16/2013	08/16/2013	Inbound	Frederick S. Maurer / Akron	3154719158 enrolled Mr Snyder in the DP&L program. He had originally enrolled himself via internet as a Duke customer because his supplier was Duke Retail. Several calls to FES failed to resolve the issue. The best DP&L offer we have is 5.94 cents per kWh, through June of 2016 with a \$25.00 ETF.
PUCO Complaint	Completed	08/16/2013	08/16/2013	Inbound	Frederick S. Maurer / Akron	3154719158 Called Bruce Snyder and reviewed the issues surrounding his complaint. His application was rejected by his local utility, Duke Energy. There were data input issues with the account, that needed to be resolved before a Manual Enrollment could be submitted.
Cancel enrollment	Completed	08/20/2013	08/20/2013	Inbound	Frederick S. Maurer / Akron	Spoke with Bruce Snyder regarding the pricing of his offer. Mr Snyder is a DP&L customer. He enrolled himself on line as a Duke Energy customer, who was his supplier at the time. DP&L pricing structure is higher than Duke Retail's and the offer he wants simply is not in the system. He wants compensated for the time and money lost while with FES because, he states, another supplier was cheaper.
TRANSFER	Completed	08/20/2013	08/20/2013	Inbound	Michelle Clancy /	BRUCE 3154719158 TRANSFER CUSTOMER TO FRED (330-436-1547)
PUCO follow up	Completed	09/17/2013	09/17/2013	Inbound	Rebecca S. Pastler / Akron	9/17/13 Sent follow up response to PUCO with copies of contact center calls from 5/31/13 & 8/5/13 as well as a copy of the original web enrollment. Will pay lost savings for June, July, August bill against what he paid to DPL or other supplier. Beckl Pastler
Enrollment: Cust 17618508 08/16/2013	Early Drop	09/20/2013	09/17/2016		Frederick S. Maurer / Akron	Customer rescission enrollment request within rescission period
10/2/2013 future date for drop	Completed		10/02/2013	Task	LINDA BRANT-LYNN / Akron	Set up courtesy drop to send on 9/23/2013. Completed. Inbl
These calls do not have notes. May be reps researching account						
No Text Available	Completed	11/26/2013	11/26/2013	Inbound	Rebecca S. Pastler / Akron	
No Text Available	Completed	11/13/2013	11/13/2013	Inbound	Rebecca S. Pastler / Akron	
No Text Available	Completed	10/07/2013	10/07/2013	Inbound	Rebecca S. Pastler / Akron	
No Text Available	Completed	10/07/2013	10/07/2013	Inbound	Rebecca S. Pastler / Akron	
No Text Available	Completed	10/04/2013	10/04/2013	Inbound	Ernest Bergan / Akron	
No Text Available	Completed	10/03/2013	10/03/2013	Inbound	Rebecca S. Pastler / Akron	
No Text Available	Completed	10/03/2013	10/03/2013	Inbound	Frederick S. Maurer / Akron	
No Text Available	Completed	09/26/2013	09/26/2013	Inbound	Rebecca S. Pastler / Akron	

No Text Available		Completed	09/24/2013	09/24/2013	Inbound	Rebecca S. Pastler / Akron						
No Text Available		Completed	09/23/2013	09/23/2013	Inbound	Rebecca S. Pastler / Akron						
No Text Available		Completed	09/11/2013	09/11/2013	Inbound	Rebecca S. Pastler / Akron						
No Text Available		Completed	09/07/2013	09/07/2013	Inbound	Rebecca S. Pastler / Akron						
No Text Available		Completed	09/05/2013	09/05/2013	Inbound	Rebecca S. Pastler / Akron						
No Text Available		Completed	08/23/2013	08/23/2013	Inbound	Fredrick S. Maurer / Akron						
No Text Available		Completed	08/21/2013	08/21/2013	Inbound	Rebecca S. Pastler / Akron						
No Text Available		Completed	08/20/2013	08/20/2013	Inbound	LINDA BRANT-LYNN / Akron						
No Text Available		Completed	08/20/2013	08/20/2013	Inbound	LINDA BRANT-LYNN / Akron						
No Text Available		Completed	08/16/2013	08/16/2013	Inbound	Fredrick S. Maurer / Akron						
No Text Available		Completed	08/16/2013	08/16/2013	Inbound	Fredrick S. Maurer / Akron						
No Text Available		Completed	08/15/2013	08/15/2013	Inbound	Dalborah A Ison /						
No Text Available		Completed	08/05/2013	08/05/2013	Inbound	Brandt Zinn / Akron						
No Text Available		Completed	08/05/2013	08/05/2013	Inbound	David Bowen / Akron						

DP&L Formal Enrollment Script.

Please respond with a clear yes or no as this will provide an accurate record of your enrollment.

If you have any questions during this process I am required to start over. To summarize what we have discussed today I would like to go through the following terms and conditions for FirstEnergy Solutions' service.

First of all do you understand and acknowledge that this call is being recorded? (Yes)

Do you wish to switch from your current electric provider and enroll with FirstEnergy Solutions as your electric supplier? (YES)

Is the account you will be enrolling with FirstEnergy Solutions in your name? (YES) Donald Jones

If No: Are you authorized by the account holder to make changes to the account? (YES)

For enrollment I need the name of the account-holder EXACTLY AS IT APPEARS ON THE BILL including any commas spaces or periods. Can you spell that for me? (Agent to repeat back spelling) Does this match the name exactly as it appears on the bill? (YES)

Please tell me your electric account (customer) number (10 digits). (Agent to repeat back) Is this correct? (YES)

Please tell me the service address listed on your electric account. I am going to repeat it back to you. (Agent to repeat back) Is this correct? Is this the same address where you prefer mail to arrive?

(If No) Can you please tell me that address? (Agent to repeat back) Is this correct? (YES)

I see your phone number as 937-716-1698. Is this correct? (YES)

Please tell me your email address so FirstEnergy Solutions can keep you updated with important account information. (Agent to repeat back) Is this correct? (YES) (NOT REQUIRED FOR ENROLLMENT)

Based on our conversation the offer you want to enroll in is the price of (click on offer price) through 05 / 2016. Your service with FirstEnergy Solutions will begin approximately 30-60 days from now.

If you choose to terminate service before the end of your agreement you could be subject to an early termination fee of (click on cancellation fee box).

Customers on a payment assistance program may not be eligible and customers with an outstanding balance with the utility may be denied enrollment. FirstEnergy Solutions won't charge you any fees to enroll.

This offer applies only to the generation related portion of your bill. You will continue to receive your normal distribution charges from Dayton Power and Light Co..

FirstEnergy Solutions' charges will be listed separately on the electric bill that comes from Dayton Power and Light Co..

Do you accept these principal terms and conditions for the offer we just described? (Yes) Do you authorize me to enroll you in this offer? (Yes) Within one calendar day FirstEnergy Solutions will mail you the terms and conditions we have discussed. Do you understand? (Yes)

You have three business days to call FirstEnergy Solutions at 1-888-254-6359 if you choose to cancel your enrollment. Do you understand? (Yes)

Dayton Power and Light Co. will mail you a confirmation notice when they approve your enrollment. You will have seven additional calendar days from the postmark date of this confirmation notice to cancel the agreement without penalty. A cancellation number will be included in the mailing from the utility.

The confirmation also includes a phone number for the utility if you'd like to cancel this agreement. Do you acknowledge this statement? (Yes)

One last question how did you hear about FirstEnergy Solutions?

"Thanks for your attention and enrolling with FirstEnergy Solutions! If you have any questions please contact our Customer Care Department at 1-888-254-6359, from 8 a.m. to 5 p.m. Eastern Standard Time, Monday through Friday."

**Bruce Snyder**

---

**From:** ContactThePUCO@puc.state.oh.us  
**Sent:** Monday, September 23, 2013 4:50 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horse Dr

Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

Notes:

Hello,

I did listen to the CD and when you spoke to Steve, he did not catch the company "mistake" at the time and resubmitted your enrolment, which he should not have done.

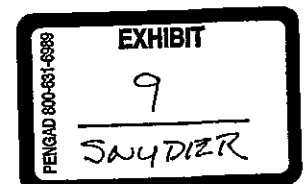
During your second call, the representative did find out "why" you were not enrolled. It was explained to you at that time that you were the responsible party who initiated putting the "incorrect" company in the enrollment application. However, if Steve would have caught the error on the first call, this would have been taken care of a lot sooner. Still...resulting in you not receiving the rate that was for Duke customers only.

I will be mailing you the CD for your review. I have also enclosed a formal complaint, because there is nothing more I can do on an informal level.

Thank you.

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD





ulmer | berne | llp  
ATTORNEYS

LAURA MCBRIDE

Partner

direct 216.583.7034

direct fax 216.583.7035

lmcbride@ulmer.com

July 30, 2014

VIA REGULAR MAIL AND EMAIL

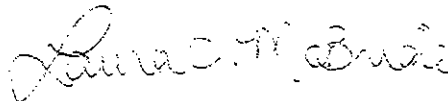
Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

Re: *In the Matter of the Complaint of Bruce Snyder v. FirstEnergy  
Solutions Corp.*  
Public Utilities Commission of Ohio  
Case No. 12-2031-EL-CSS

Dear Mr. Snyder:

Enclosed please a supplemental production of documents responsive to your  
earlier document requests, specifically Set 1, Request for Production No. 5 and Set 2, Request  
for Production No. 2.

Sincerely,



Laura McBride

Enclosure

CLEV1997 2103691v1  
29414.00053

SKYLIGHT OFFICE TOWER  
1660 WEST 2ND STREET, SUITE 1100  
CLEVELAND, OHIO 44113-1448

firm  
216.583.7000

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216.583.7001

internet  
www.ulmer.com

CLEVELAND

COLUMBUS

CINCINNATI

CHICAGO

ENROLLMENT_ID	945228
CONTACT_FIRST_NM	Bruce
CONTACT_LAST_NM	Snyder
INV_ADDR_TX_1	4461 Powder Horn Drive
INV_CITY_TX	Beavercreek
INV_STATE_TX	OH
INV_POSTAL_CD_TX	45432
PHONE_NO	937-427-0231
EMAIL_ADDRESS	snyderbd888@sbcglobal.net
LEAD_SOURCE_ID	PUC / OCC
FILENET_CONTRACT_NUMBE	C-00007739
QUOTED_PRICE_AMT	5.36 cents/kWh through June 2016
PRICE_TYPE	Fixed
CONTRACT_SIGNED_DT	5/22/13 12:22 PM
TERMS_ACCEPTED_FLAG	Y
CONFIRMATION_NO	bb4d0d82dfda465ae0
ENROLLMENT_ACCOUNT_ID	945229
SERV_ADDR_TX_1	4461 Powder Horn Drive
SERV_CITY_TX	Beavercreek
SERV_STATE_TX	OH
SERV_POSTAL_CD_TX	45432
UTILITY_CODE	CGE
LDC_VENDOR_DB_NO	006999189
LDC_ACCT_CUST_NO	3154719158
PRICE_RATE_CD	FE99
PRIORITY_CODE	C-00007739
CLASS_TY_CD	RES
CONTRACT_START_DATE	5/22/2013
CONTRACT_END_DATE	6/1/2016
OFFER_GROUP_CODE	MM-DUKE-536
PROD_ID	2903
INTEGRATION_STATUS	S
	0017618508 BP(s) and contract 2000715349
INTEGRATION_DESC	were created.

2/21/14 10

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

BRUCE SNYDER )

Complainant, )

v. )

FIRSTENERGY SOLUTIONS CORP. )

Respondent. )

Case No. 13-2031-EL-CSS

**RESPONDENT'S RESPONSES TO COMPLAINANT'S DISCOVERY**

**REQUESTS**

Pursuant to Rules 4901-1-16, 4901-1-20 and 4901-1-22, Ohio Administrative Code, Respondent FirstEnergy Solutions Corp. ("FES") responds as follows to Complainant Bruce Snyder's Second Set of Discovery.

**REQUESTS FOR PRODUCTION**

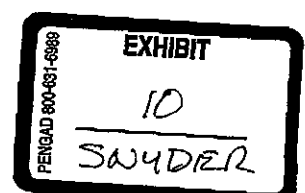
**REQUEST FOR PRODUCTION NO. 1:**

For the call/contact log provided under the first set of discovery responses, please provide the position and job description of the persons identified at the bottom of the call log that have not already been identified in previous discovery responses.

**RESPONSE:**

Robyn Speelman is a contractor in an administrative capacity supporting contract reviews.

Ernest Bergan is an employee of Summit Advantage Call Center as a Call Center Supervisor.



Linda Brant-Lynn is a contractor that supports fulfillment efforts and processes lost savings requests

Brandi Zinn is an employee of VXI as a supervisor.

David Bowen was an employee of VXI as a call center supervisor.

**REQUEST FOR PRODUCTION NO. 2:**

Please provide a copy of Elizabeth Snyder's May 22, 2013 online/internet application for enrollment with FES for electric service at \$.0536/KWh for three years.

**RESPONSE:**

FES provided the electronic data information for the account at issue in previous discovery responses. By way of supplementing previous responses and responding to this Request, enclosed is a separate version of the enrollment, which indicates that the rate of \$.0536/kWh was a Duke offer, and an indication that the enrollment information input by Mr. Snyder succeeded. Ultimately, the full enrollment was rejected because Mr. Snyder was a customer of Dayton Power and Light and Duke Energy had no record of the account in question.

**REQUESTS FOR ADMISSIONS**

**REQUEST FOR ADMISSION NO. 1:**

Admit FES did not have proof (as defined in Ohio rule 4901:1-21-06 (C) and (D)) of Bruce Snyder's consent to be enrolled for electric service at \$.0594/KWh for three years.

**RESPONSE:**

Objection, this Request for Admission is a genuine issue for hearing. Subject to this objection, this request is DENIED. FES has proof of enrollment as defined in OAC 4901:1-21-06 (C) and (D). Further, please see Respondent's previous response to original Request for Admission No. 5.

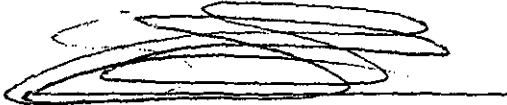
**REQUEST FOR ADMISSION NO. 2:**

Admit that following Bruce Snyder's call to FES on May 31, 2013, FES had to follow-up with the supplier of electric service to try and resolve the non-enrollment issue.

**RESPONSE:**

Objection, this Request is vague. Subject to this objection, this request is DENIED. FES did not follow up with a "supplier of electric service" to try and resolve the non-enrollment issue.

As to objections

A handwritten signature in black ink, appearing to be "Scott J. Casto", written over a horizontal line.

Respectfully submitted,

/s/ Scott J. Casto  
Scott J. Casto (0085756)  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
(330) 761-7835  
scasto@firstenergycorp.com

Attorney for FirstEnergy Solutions Corp.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by U.S. Mail to the following person on this 21<sup>st</sup> day of February 2014.

Bruce Snyder  
4461 Powder Horn Drive  
Beavercreek, OH 45432

/s/ Scott J. Casto  
Attorney for FirstEnergy Solutions Corp.

**FirstEnergy Solutions Corp. – Residential Terms and Conditions**

These Terms and Conditions together with the enrollment materials are your Agreement for electric generation service with FirstEnergy Solutions Corp. ("FES"). Please keep a copy for your records.

FES is certified by the Public Utilities Commission of Ohio ("PUCO") to offer and supply electric generation services in Ohio and is an affiliate of Ohio Edison, The Toledo Edison, and The Cleveland Electric Illuminating companies. As a Competitive Retail Electric Service ("CRES") provider, FES will supply the electric generation to Duke Energy Ohio, Inc., your Electric Distribution Utility ("EDU"), based on your usage. Your EDU then distributes or delivers the electricity to you. FES sets the generation prices and charges that the customers pay. The PUCO regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.

**DEFINITIONS:**

**Generation Charge** – Charge for the production of electricity.

**Transmission Charge** – Charge for moving high voltage electricity from a generation facility to the distribution lines of an EDU.

**Distribution Service** – Basic service for delivering electricity over a distribution system to a customer from the transmission system.

**RTO** – Regional Transmission Organization.

**Right of Rescission** – If you are a new or returning customer to FES, your EDU will send you a confirmation letter once you have been enrolled to receive generation service from FES. You have a right to rescind your enrollment within seven (7) calendar days following the postmark date of the confirmation letter by following the instructions contained in the letter. The Right of Rescission only applies when a customer switches to a generation supplier and not on renewal enrollments. Your EDU will not send a confirmation notice upon any renewal of this Agreement.

**TERMS AND CONDITIONS OF SERVICE**

- 1. Eligibility.** Only residential customer accounts that are on rate code(s) RS (referred to here as "Customer") are eligible for this offer, except that the following customers are not eligible for this offer: (1) any customer accounts participating in energy assistance or low-income rate programs that will pay a higher rate or that will be otherwise negatively affected under this Agreement; (2) any customer of an electric cooperative or municipally owned utility; or (3) any net metered customers. FES reserves the right to refuse enrollment to any Customer with an outstanding balance. No other rate codes will be accepted.
- 2. Basic Service Prices.** During the term of this Agreement, you agree to pay FES a fixed price of 5.36 cents per kilowatt-hour for a combined Transmission, Generation, and Generation Related Charges ("Retail Electric Service"). In addition to FES' charges, you will be charged by your EDU for distribution and various other charges. In addition to the charges described above, if any RTO or similar entity, EDU, governmental entity or agency, North American Electric Reliability Corporation or other industry reliability organization, or court requires a change to the terms of the Agreement, or imposes upon FES new or additional charges or requirements, or a change in the method or procedure for determining charges or requirements, relating to your Retail Electric Service under this Agreement (any of the foregoing, a "Pass-Through Event"), which are not otherwise reimbursed to FES, Customer agrees that FES may pass through any additional cost of such Pass-Through Event, which may be variable, to Customer. Changes may include, without limitation, transmission or capacity requirements, new or modified charges or shopping credits, and other changes to retail electric customer access programs.
- 3. Length of Agreement.** Your Retail Electric Service from FES, under the terms of this Agreement, will commence with the next available meter reading following any applicable rescission period, the acceptance of the enrollment request by FES (at its discretion and consistent with Paragraph 7 below), and the processing of the enrollment by your EDU. Your Retail Electric Service will continue until your June 2016 meter read date, unless renewed in accordance with Paragraph 8.
- 4. Billing.** You will continue to receive a single bill from your EDU that will contain both your EDU and FES charges. FES reserves the right to unilaterally modify this billing format/pricing in the event the EDU is unable or unwilling to provide consolidated billing in this format or changes the calculation of the Price to Compare. FES does not offer budget billing. If you do not pay your bill by the due date, FES may cancel this Agreement after giving you a minimum of fourteen (14) days written notice. Upon cancellation you will be returned to your EDU as a customer for Retail Electric Service. You will remain responsible to pay FES for any Retail Electric Service used before this Agreement is cancelled, as well as any late payment charges. Further, your failure to pay EDU charges may result in your electric service being disconnected in accordance with the EDU tariff until the entire balance is paid in full.
- 5. Penalties, Fees and Exceptions.** Your EDU may charge you switching fees. If you do not pay the full amount owed FES by the due date of the bill, FES may charge a 1.5% per month late payment fee.
- 6. Cancellation/Termination Provisions.** If this Agreement is not rescinded during any applicable rescission period, then your enrollment will be complete. Thereafter, you may terminate this Agreement, without penalty, only if you move out of the EDU service territory or into an area where FES will charge a different price. *There will be a \$100.00 charge if you terminate this Agreement for any other reason, except as expressly provided herein. Should you cancel Retail Electric Service with FES and return to standard offer*

service with your EDU, you may not be served under the same rates, terms, and conditions that apply to other EDU customers. Customer and FES both agree that the following will constitute force majeure events under this Agreement and that FES shall have the right to terminate or modify the agreement without liability if: (1) the Electric Security Plan (ESP), Market Rate Offer (MRO) and/or Competitive Bid Process (CBP), or other generation procurement process results in a Price To Compare (PTC) that is equal to or less than the comparable annualized generation and transmission rates and riders in effect as of the effective date of this Agreement or (2) the PUCO approves or implements a phase-in credit for generation and/or transmission charges of the EDU or takes any other action which affects the PTC or otherwise does not allow the EDU to reflect the full cost to procure generation and transmission in the PTC or other regulatory action. In the event that the program is terminated, you will be returned to your EDU's standard service offer.

- 7. Customer Consent and Information Release Authorization.** By choosing to accept this offer from FES, you understand and agree to the terms and conditions of this Agreement with FES. You authorize FES to obtain your information from your EDU that includes, but is not limited to: billing history, payment history, historical and future electricity usage, meter readings, and characteristics of electricity service. FES reserves the sole right to determine if your credit standing is satisfactory before accepting your enrollment request. This Agreement shall be considered fully executed by FES following acceptance of your enrollment request by FES, the end of any applicable rescission period, and subsequent acceptance of the enrollment by your EDU.
- 8. Contract Expiration / Automatic Renewal.** At the end of its term, this Agreement will expire, or at FES' option, automatically renew for a term less than or equal to its initial term unless you affirmatively cancel the Agreement. The termination fee during any renewal term will be \$25. You will receive two notifications from FES in the thirty-five (35) to ninety (90) days that precede either the expiration date of this Agreement or the effective date of any changes FES proposes to its terms of service. The first notice will be a written one. In these advance notifications FES will explain your options, which may include renewing the Agreement, the specified rate, proposed changes if any, and what actions you must take to cancel the Agreement. You are responsible for arranging your Retail Electric Service upon the expiration of the Agreement.
- 9. Dispute Procedures.** Contact FES with any questions concerning the terms of service by phone at 1-888-254-6359 (toll-free) M-F 8 a.m. – 5 p.m. EST or in writing at 341 White Pond Drive B2, Attn: Contract Administration, Akron, OH 44320. Our web address is [www.fes.com](http://www.fes.com). If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays or at [www.PUCO.ohio.gov](http://www.PUCO.ohio.gov). Residential customers may also contact the Ohio Consumers' Counsel (OCC) for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays or at [www.pickocc.org](http://www.pickocc.org).
- 10. Miscellaneous.** You have the right to request from FES, twice within a twelve (12) month period, up to twenty-four (24) months of payment history, without charge. FES will not release your Social Security number and/or account number(s) without your written consent except for the FES' collections and reporting, participating in programs funded by the universal service fund, pursuant to section 4928.54 of the Revised Code, or assigning a Customer's contract to another CRES provider. FES' environmental disclosure statement is available for viewing on our website – [www.fes.com](http://www.fes.com). FES will make the required quarterly updates to the statement electronically on our website and will also provide the information upon request. FES may assign its rights to another, including any successor, in accordance with the rules and regulations of the PUCO. FES assumes no responsibility or liability for the following items that are the responsibility of the EDU: operation and maintenance of the EDU's electrical system, any interruption of service, termination of service, or deterioration of the EDU's service. In the event of a power outage, you should contact your EDU. Customer is responsible for providing FES with accurate account information. If said information is incorrect, FES reserves the right to reprice the applicable account(s) or terminate the Agreement. FES reserves the right to return Customer to the EDU if Customer's rate code is changed and the account is no longer eligible for this program. Customer authorizes, but does not obligate, FES to exercise Customer's governmental aggregation opt-out rights.
- 11. Warranty.** FES warrants title and the right to all electricity sold hereunder. THE WARRANTIES SET FORTH IN THIS PARAGRAPH ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES, WHETHER STATUTORY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ARISING OUT OF ANY COURSE OF DEALING OR USAGE OF TRADE.

**Bruce Snyder**

---

**From:** ContactThePUCO@puc.state.oh.us  
**Sent:** Monday, August 12, 2013 9:00 AM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horn Dr

Beavercreek, OH 45432  
(937) 405-3642

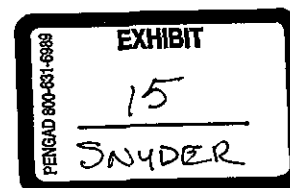
CASE ID: BSNY0812134U

Notes:

TEST

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD





August 16, 2013

To: Kelly Mabra  
Compliance Investigator  
Investigation and Audit Division  
Public Utilities Commission of Ohio  
Case ID: BSNY0812134U  
RE: Bruce Snyder  
Service Address: 4661 Powder Horn Dr. Bevercreek, Ohio 45432  
Utility Number: 3154719158

Darita,

We are following up with you on Case ID: BSNY0812134U, regarding Bruce Snyder. The customer's complaint pertains to an internet enrollment failure into a FirstEnergy Solutions (FES) program.

According to FES records, Mr Snyder submitted an Internet enrollment to FES on May, 22, 2013 . The offer for residential customers was for a guaranteed price of 5.36 cents per kilowatt hour (kWh) through his June, 2016 billing cycle. The offer carries a \$100.00 early termination fee.

When a customer enrolls on line, he is presented a copy of the terms and conditions of the offer before the data is saved. The system also prompts the customer to print off a copy of the document.

On May 24, 2013, Duke Energy rejected the FES enrollment request as "Account Not Found". This was the result of Mr. Snyder having selecting Duke Energy as his current utility on our enrollment form. Dayton Power & Light is his utility.

When Mr Snyder called FES to investigate the issue, he was told that the offer was no longer available.

I spoke with Mr Snyder on August 16, 2013, and advised him that the enrollment will now be sent to DPL at 5.94 cents per kWh through June 2016 and a lost savings credit will be processed for the months of March 2013 through August 2013

The new offer carries a \$25.00 ETF.

Mr. Snyder was satisfied.

Let me know if there is anything else we can provide.

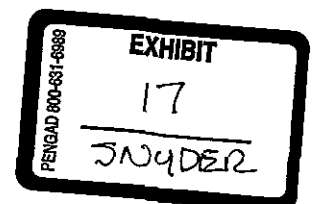
Thank you,

Frederick S. Maurer  
FirstEnergy Solutions Customer Care

Phone: 1-330-436-1547

Fax: 1-888-820-1416

Email: Firstchoice@FES.com



08/16/2013

0000242 20138816 1HG7D101 MOBL-160 1 OZ DOM 1HG7D10000\* 160406 DX



ELIZABETH A. SNYDER  
4461 POWDER HORN DR  
BRUCE  
BEAVERCREEK OH 45432-4029



RE: Customer/Account Number 3154719158

Dear Elizabeth A. Snyder:

Thank you for choosing FirstEnergy Solutions as your electric generation supplier and securing a great low generation price!

Here are some important reference items you will need when reviewing your terms with FirstEnergy Solutions:

Electric Utility	Price per kWh	Cancellation Fee (For early termination of this agreement)	Service Address	Contract Term
Dayton Power and Light Co.	5.94¢/kWh through June 2016 meter read	\$25.00 for each account less than 99,999 annual kWh	4461 Powder Horn Dr Bruce, Beavercreek, OH 45432-4029	Through 4461 Powder Horn Dr Bruce meter read

When your current contract is coming to an end, FirstEnergy Solutions will provide a competitive renewal price because we want to keep you as a customer for years to come.

We've enclosed your post-enrollment materials, which include a copy of the terms and conditions under which we will provide electric generation service to you. These documents are for your files and for your reference – no further action is required on your part.

If your personal information above is incomplete or incorrect, or if you have any questions regarding your account with FirstEnergy Solutions, please call us at 888-254-6359, Monday through Friday, 8AM to 5PM. We appreciate your business and the opportunity to serve you.

Sincerely,

Stephen Reifsnyder  
Customer Care Manager  
FirstEnergy Solutions Corp.



19

**Bruce Snyder**

**From:** Bruce Snyder <snyderbd888@sbcglobal.net>  
**Sent:** Monday, August 19, 2013 11:02 PM  
**To:** 'maurerf@firstenergycorp.com'  
**Cc:** 'ContactThePUCO@puc.state.oh.us'  
**Subject:** RE: Test Message  
**Attachments:** Your FirstEnergy Solutions Enrollment

Mr. Maurer,

Today I received a First Energy letter saying you are enrolling me for First Energy service with a rate of 5.94 cents per kWh for 3 years. I did not agree to this rate or this term and was waiting for a call back from you regarding the rate I was quoted in May (see attached email). While this may be the best rate available now, significantly lower rates were available back in May 2013. By leading me to believe you were going to start service in June at the quoted rate, I was denied the opportunity to select another electric energy supplier at a lower rate than you are currently quoting me. You did not notify me that the rate quoted in the attached email was not available until August 2013 and you have provided no evidence to me to show that the quoted rate wasn't/isn't available to me. I have spoken to no less than six First Energy employees since May 31, 2013 and this issue still isn't close to being resolved. Please call me at your earliest convenience to discuss this matter.

Bruce Snyder  
Cell 937 405-3642  
PUCO Case: BSNY0812134U

**From:** maurerf@firstenergycorp.com [mailto:maurerf@firstenergycorp.com]  
**Sent:** Friday, August 16, 2013 1:01 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Test Message

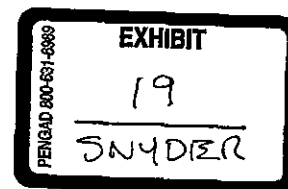
Hi Bruce,

Please keep this e-mail in your address file, so you can send me your DP&L bills for a lost savings credit.

Thanks

**Frederick S Maurer**  
Sr Customer Service Rep | FirstEnergy Solutions  
Office: 330-436-1547  
Email: [maurerF@FES.com](mailto:maurerF@FES.com) | Web: [fes.com](http://fes.com)

**FirstEnergy**  
Solutions  
Switch. Save. [FES.com](http://FES.com)



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The Dayton Power and Light Company

Working For You Today and Tomorrow

Trace  
8/23/13 called DP&L & said  
not to allow First Energy as  
supplier. Sand would rescind  
First Energy transition.  
08/20/2013



000001937 1 AT 0.384 T:009  
ELIZABETH A SNYDER  
4461 POWDER HORN DR  
BEAVERCREEK OH 45432-4029



20

ACCOUNT: 3154719158  
SERVICE ADDRESS: 4461 POWDER-HORN DR

Dear Customer:

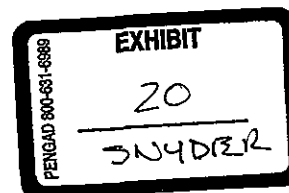
This letter confirms that a request has been received to change your electric supplier under DP&L's Electric Choice program. This change will be effective with the scheduled meter reading on 09/20/2013. Under this program, you will purchase your electric generation and transmission from FIRSTENERGY SOLUTIONS CORP. and DP&L will continue to deliver the energy through facilities owned and serviced by DP&L.

Please verify the accuracy of the new supplier information. If this information is correct you do not need to call us, we will change your account as indicated above. If you do not want to make this change to a new supplier, contact our office at 331-3500 or 1 (800) 929-8646 by 08/27/2013

It is important that DP&L obtain an actual meter reading prior to changing your supplier to ensure the change is based on an actual reading rather than estimated usage. A representative is scheduled to read the meter on 09/20/2013.

This change in your electric service will first be reflected on the DP&L bill mailed to you on or after 10/25/2013. Under the Electric Choice program, your monthly DP&L bill will contain DP&L electric distribution service charges and your electric supplier charges. We hope you are pleased with our Electric Choice program and your supplier of choice. As always, DP&L will continue to read your meter and provide you with the same quality service you now enjoy. Please call 331-3500 or 1 (800) 929-8646 if you have any questions.

The Dayton Power and Light Company



08202013-CD091-FCLTR-EC

**Bruce Snyder**

From: rpastier@firstenergycorp.com  
 Sent: Wednesday, September 18, 2013 4:36 PM  
 To: Bruce Snyder  
 Subject: RE: Becki Pastier email

Hi, Bruce,

Please be advised that my offering to send the CD with the recorded calls to you was incorrect. Our company policy does not allow me to do that, however, I am sending it to the PUCO and if they chose to send that along to you, that is at their discretion.

On the May 31, 2013 call, there is reference and agreement from both parties, FES & you, that your utility is DPL.

On the August 5, 2013 call, there was discussion concerning the rejected enrollment, the amount of letters in the account number, clarification on the name on the account (Elizabeth), that the \$0.0536 offer for DPL had expired, and that the account enrolled was not eligible for that offer since the account was under the DPL utility.

I will wait on those 3 invoices for lost savings.

Thank you kindly,

Becki Pastier  
 Customer Acquisition Analyst | FirstEnergy Solutions  
 Mobile: 330-697-8951 | Office: 330-436-1402  
 Fax: 330-315-9162  
 rpastier@fes.com | Web: [fes.com](http://fes.com)

**FirstEnergy**  
 Solutions

**Switch. Save. FES.com**

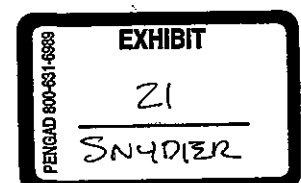
"Start by doing what's necessary, then what's possible, and suddenly you are doing the impossible."

Saint Francis of Assisi

From: "Bruce Snyder" <snyderbd888@sbcglobal.net>  
 To: <rpastier@firstenergycorp.com>  
 Cc: <ContactThePUCO@puc.state.oh.us>  
 Date: 09/17/2013 10:57 PM  
 Subject: RE: Becki Pastier email

Becki,

Can you be more specific on the date of the calls that you have and what they say (or better yet send me the recordings in a format that I can listen to)? On the 31 May call I answered many specific questions about my current account and I confirmed the rate that was offered. Your statement below leads me to believe that First Energy was informed during the phone call that I was a DP&L customer and you were proceeding with the enrollment knowing that fact. Kelly at PUCO called today and said she received the recordings but they were not in a format she could listen to.



I was a Duke Energy customer from June to August at which time my account switched to DP&L for the August to September billing.

Bruce Snyder  
BSNY0812134U

**From:** rpastier@firstenergycorp.com [mailto:rpastier@firstenergycorp.com]  
**Sent:** Tuesday, September 17, 2013 8:58 AM  
**To:** Bruce Snyder  
**Subject:** RE: Becki Pastier email

Good morning, Bruce,

I do have 2 of the phone recordings and I will forward them to the PUCO per your request. They indicate that you were advised that the enrollment was in process on the first phone call and that you would be contacted in a timely manner for you to enroll for August on the 2nd call.

As such, lost savings are being offered for the difference between the Dayton Power & Light price to compare and the price of \$0.0536 per kilowatt hour for the June to July, July to August, and August to September bill.

Please let me know how you will be forwarding the bills to me so that I know where to watch for them.

Feel free to reach out to me with any questions.

Thank you so much and have a super day!

Becki Pastier  
Customer Acquisition Analyst | FirstEnergy Solutions  
Mobile: 330-697-8951 | Office: 330-436-1402  
Fax: 330-315-9162  
rpastier@fes.com | Web: fes.com

**FirstEnergy**  
Solutions  
**Switch. Save. FES.com**

"Start by doing what's necessary, then what's possible; and suddenly you are doing the impossible."

Saint Francis of Assisi

**From:** "Bruce Snyder" <snyderbd888@sbcglobal.net>  
**To:** <rpastier@firstenergycorp.com>  
**Date:** 09/16/2013 11:15 PM  
**Subject:** RE: Becki Pastier email

Becki,

I received your call today and have the June-July and July-August DP&L bills scanned in but I don't have the August-September bill yet and probably won't get it until October. You didn't say anything about the phone recordings that you should have access to by now. Do you have those recordings and if so, do they confirm what I've been telling First Energy for several months now? Have you sent those recordings off to the PUCO? That was our agreed to way forward so if you don't plan to do that I need to know why.

Bruce Snyder

**From:** [rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com) [mailto:[rpastier@firstenergycorp.com](mailto:rpastier@firstenergycorp.com)]

**Sent:** Monday, September 9, 2013 8:27 AM

**To:** [snyderbd888@sbcglobal.net](mailto:snyderbd888@sbcglobal.net)

**Subject:** Becki Pastier email

Good morning, Bruce,

Fred Maurer forwarded your email to me. Please find my contact information attached.

I am in process of pulling all associated calls, per your request. I had hoped to have them Friday, but should have them in the next couple days.

Thanks for your patience!

Becki Pastier

Customer Acquisition Analyst | FirstEnergy Solutions

Office: 330-436-1402

Fax: 330-315-9162

[rpastier@fes.com](mailto:rpastier@fes.com) | Web: [fes.com](http://fes.com)



"Start by doing what's necessary, then what's possible; and suddenly you are doing the impossible."

Saint Francis of Assisi

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22



First Choice /System/FirstEnergy

09/17/2013 03:05 PM

To Retail Service  
Management@FirstEnergy

cc

Subject Bruce Snyder - Follow Up  
FES.com Forward for  
FES-091713-025538

PUCO COMPLAINT - FOLLOW UP

Warning: Email address has caused delivery failures

## Inbox Email

Request Number: FES-091713-025538  
FE User ID  
Date Created: 09/17/2013 02:55:38 PM  
Status: Active  
Source: Email  
Assigned To: FES.com FirstChoice  
Last Replier:

### History

#### User Information and Comments

Date Created: 09/17/2013  
FormType:  
First Name, Last Name:  
Sent To: First Choice/FirstEnergy  
Company Name:  
Requestor Email: <ContactThePUCO@puc.state.oh.us>  
Subject: Follow-up E-mail. Case: BSNY0812134U  
Message:  
Public Utilities Commission of Ohio  
Investigation and Audit Division

#### Memorandum

Ré: Bruce Snyder

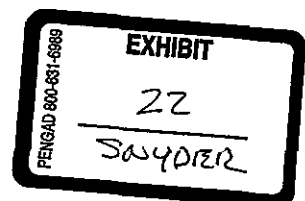
4461 Powder Horne Dr

Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

#### Notes:

The voice recordings did not come through. There was a lot of scattered letters...opposed to



giving me the option to press play.

Could you please send the customer (copy me) the recordings at snyderbd888@sbcglobal.net? He was also made aware that this issue originated by him stating Duke was the correct supplier in stage one of the enrolment. I went through a dummy enrolment and also told him how someone could miss that (if rushing), because it is already filled in with the company name. He is aware that of the courtesy credits as well.

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD

\*\*\*\*\* END OF DOCUMENT \*\*\*\*\*

23

September 17, 2013

To: Kelly Mabra  
Compliance Investigator  
Investigation and Audit Division  
Public Utilities Commission of Ohio  
Case ID: BSNY0812134U  
RE: Bruce Snyder  
Service Address: 4461 Powder Horn Dr, Beavercreek, OH 45432  
Utility Number: 3154719158

Dear Kelly,

We are following up with you on Case ID: BSNY0812134U, regarding Bruce Snyder. The customer's complaint pertains to a delayed enrollment with FirstEnergy Solutions (FES).

On May 24, 2013, Mr. Snyder enrolled with FES via the web. The enrollment elected was a Duke offer. Mr. Snyder is a Dayton Power & Light customer, however, he stated that he had Duke Energy as his supplier at the time.

An enrollment rejection was sent to Mr. Snyder on May 24, 2013.

Mr. Snyder called the FES contact center on May 31, 2013. As both utilities have the same number of digits in their account numbers, and Duke Energy was listed as the customer's utility, there was confusion regarding the enrollment and the representative inadvertently told Mr. Snyder that the enrollment was in process.

Mr. Snyder called the FES contact center again on August 5, 2013 and was advised that we were unable to provide the rate of \$0.0536 per kilowatt hour (kWh) for the Dayton Power & Light enrollment as that offer was for Duke customers only. Variances in tariffs and markets distinguish rate offers from utility to utility. An offer for one Electric Distribution Company (EDC) is not available for any other EDC.

FES offered Mr. Snyder a rate of \$0.0594 per kwh for which he declined.

Copies of contact center calls between Mr. Snyder and FES for the dates of May 31, 2013, and August 5, 2013 are attached per the customer's request.

In the interest of good customer service, FES is willing to pay Mr. Snyder the difference between the Dayton Power & Light price to compare or the supplier price on his bill and \$0.0536 / kwh for the months of June to July, July to August, and August to September 2013.

Mr. Snyder indicated he would be sending copies of bills to FES for lost savings.

Let me know if there is anything else we can provide.

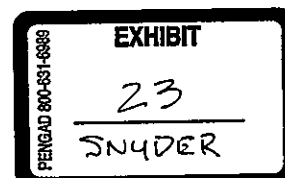
Thank you,

Becki Pastier  
FirstEnergy Solutions Customer Care

Phone: 1-330-436-1402

Fax: 1-888-820-1416

Email: Firstchoice@FES.com



24

**Bruce Snyder**

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**From:** ContactThePUCO@puc.state.oh.us  
**Sent:** Monday, September 23, 2013 4:50 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horne Dr

Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

Notes:

Hello,

I did listen to the CD and when you spoke to Steve, he did not catch the company "mistake" at the time and resubmitted your enrolment, which he should not have done.

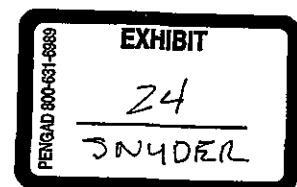
During your second call, the representative did find out "why" you were not enrolled. It was explained to you at that time that you were the responsible party who initiated putting the "incorrect" company in the enrollment application. However, if Steve would have caught the error on the first call, this would have been taken care of a lot sooner. Still...resulting in you not receiving the rate that was for Duke customers only.

I will be mailing you the CD for your review. I have also enclosed a formal complaint, because there is nothing more I can do on an informal level.

Thank you.

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD



25

**Bruce Snyder**

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**From:** Bruce Snyder <snyderbd888@sbcglobal.net>  
**Sent:** Tuesday, October 1, 2013 7:11 AM  
**To:** 'ContactThePUCO@puc.state.oh.us'  
**Subject:** RE: Follow-up E-mail. Case: BSNY0812134U

Kelly,

There should be many recorded phone calls that I made to FES. It would help if you could request that FES provide PUCO with recordings of all phone conversations they have between FES and me. This recordings will show that I've been very consistent in what I've been saying and asking for and show that FES has not. Thanks for your help.

Bruce Snyder

CASE ID: BSNY0812134U

**From:** ContactThePUCO@puc.state.oh.us [mailto:ContactThePUCO@puc.state.oh.us]  
**Sent:** Monday, September 30, 2013 9:12 AM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horne Dr

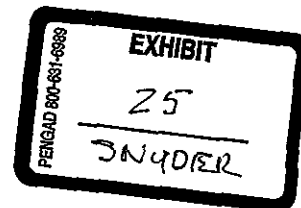
Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

Notes:  
Hello Bruce,

Yes, the CD has been mailed. I do not have a copy, but I can request another one from the company. I will request that now.

From: Kelly Mabra



Compliance Investigator  
PUCO/SMED/IAD

26

**Bruce Snyder**

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**From:** ContactThePUCO@puc.state.oh.us  
**Sent:** Wednesday, October 2, 2013 12:58 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horne Dr

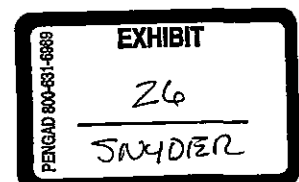
Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

Notes:  
I have submitted the request for ALL recorded phone conversations.

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD



27

**Bruce Snyder**

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**From:** Bruce Snyder <snyderbd888@sbcglobal.net>  
**Sent:** Sunday, October 27, 2013 8:14 PM  
**To:** 'ContactThePUCO@puc.state.oh.us'  
**Subject:** RE: Follow-up E-mail. Case: BSNY0812134U

Kelly,

Did you ever receive the additional recordings of conversations you requested from First Energy below? An attorney examiner (Doug Jennings) has been assigned to the case and any additional data you receive should be routed through him to me, Thanks.

Bruce Snyder  
4461 Powder Horne Dr  
Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

**From:** ContactThePUCO@puc.state.oh.us [mailto:ContactThePUCO@puc.state.oh.us]  
**Sent:** Wednesday, October 2, 2013 12:58 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

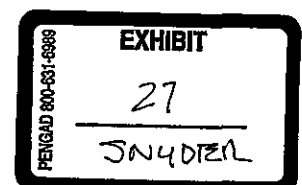
Re: Bruce Snyder

4461 Powder Horne Dr  
Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

Notes:  
I have submitted the request for ALL recorded phone conversations.

From: Kelly Mabra





Compliance Investigator  
PUCO/SMED/IAD

28

**Bruce Snyder**

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**From:** ContactThePUCO@puc.state.oh.us  
**Sent:** Wednesday, October 30, 2013 2:22 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horne Dr

Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

Notes:

I will send another request.

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD



29

**Bruce Snyder**

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**From:** ContactThePUCO@puc.state.oh.us  
**Sent:** Wednesday, November 6, 2013 3:04 PM  
**To:** snyderbd888@sbcglobal.net  
**Subject:** Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio  
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horne Dr

Beavercreek, OH 45432  
(937) 405-3642

CASE ID: BSNY0812134U

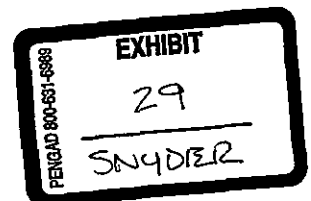
Notes:

Hello Bruce,

I received the recording today and I will send them inner office mail to Doug Jennings.

From: Kelly Mabra

Compliance Investigator  
PUCO/SMED/IAD



PENGAD 800-631-6989  
EXHIBIT  
5  
SNYDER

PENGAD 800-631-6989  
EXHIBIT  
12  
SNYDER

PENGAD 800-631-6989  
EXHIBIT  
14  
SNYDER

PENGAD 800-631-6989  
EXHIBIT  
16  
SNYDER

PENGAD 800-631-6989  
EXHIBIT  
13  
SNYDER

calls

Bruce Snyder  
282