

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Stacy Longstreath,)	
)	
Complainant,)	
)	
v.)	Case No. 14-1673-EL-CSS
)	
The Dayton Power and Light Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On September 24, 2014, Stacy Longstreath (Complainant) filed a complaint against The Dayton Power and Light Company (DPL). Complainant states that when she vacated 4541 Blueberry Avenue (Blueberry Avenue) in Dayton, she paid her DPL bill in full and asked that service be transferred to 64 Miller Avenue (Miller Avenue) in Dayton. She adds that her Percentage of Income Payment Plan (PIPP) should have transferred to Miller Avenue, but the transfer never occurred, resulting in DPL turning off power at Miller Avenue. Complainant contends that she contacted DPL about the Miller Avenue disconnection and was told to pay \$706, which she paid in full, yet when she called DPL after her \$706 payment, she was told to pay an additional \$706. She asserts that she has had to live with others while her power was turned off and disagrees with DPL's contention that there "are theft charges" at Blueberry Avenue and Miller Avenue, contending that she has not been at either address since her power was disconnected. She adds that she "doesn't have a PIPP default" and states that the only bill she should owe is \$278.47 for another account, located at 3043 Idlewild Boulevard (Idlewild Boulevard) in Dayton.
- (2) DPL filed its answer on October 15, 2014. DPL states that Complainant opened an account for electric service at Blueberry Avenue on August 9, 2013, and that service at this address was disconnected for nonpayment on March 17,

2014. DPL adds that the account for Miller Avenue was opened on March 3, 2014, and disconnected for nonpayment on May 29, 2014. DPL contends that after service to Blueberry Avenue was disconnected, DPL transferred amounts due to the Miller Avenue account. According to DPL, Complainant's PIPP expired on May 5, 2014.

Regarding payments made, DPL contends that Complainant paid \$68 to DPL on March 14, 2014, and made two payments on June 4, 2014, totaling \$466. DPL asserts that after applying the June 4, 2014, payment to Complainant's bill, the account balance was \$2,398.51. DPL further adds that it informed Complainant in July 2014 that a payment of \$1,009.22 was required to restore service to Miller Avenue.

According to DPL, on July 15, 2014, it discovered that service to Miller Avenue had been illegally reconnected; following an investigation, DPL charged Complainant for electricity used at Miller Avenue from May 29, 2014, to July 15, 2014. DPL adds that its internal fraud and theft department investigated Complainant for illegal reconnection of service at Blueberry Avenue, Miller Avenue, and Idlewild Boulevard, and determined that service had been illegally reconnected at each service address.

DPL disagrees with Complainant that the only bill Complainant now owes is \$278.47 for Idlewild Boulevard. In DPL's opinion, Complainant is in default for payment of accounts at Blueberry Avenue, Miller Avenue, and Idlewild Boulevard, with an account balance of \$3,271.45 on July 22, 2014.

- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing

prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement conference shall be scheduled for October 29, 2014, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. The parties should bring with them all documents relevant to this matter. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (5) Pursuant to Ohio Adm.Code 4901-1-26(F) the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (6) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.*, 5 Ohio St.2d 189, 214 N.E. 2d 666 (1966).

It is, therefore,

ORDERED, That a settlement conference be scheduled for October 29, 2014, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 14-1673-EL-CSS

Summary: Attorney Examiner Entry scheduling a settlement conference for 10/29/2014 at 10:00 a.m. at the offices of the Commission, 180 E. Broad St., 12th Flr., Rm. 1246, Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio