

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

CHARLES KITTINGER

Complainant,

v.

OHIO EDISON COMPANY

Respondent.

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Case No. 15-1134-EL-CSS

ANSWER OF OHIO EDISON COMPANY

In accordance with Rule 4901-9-01(D), Ohio Administrative Code, Respondent Ohio Edison Company (“Ohio Edison”) and for its answer to the Complaint of Charles Kittinger (“Complainant”) states:

FIRST DEFENSE

1. Ohio Edison is a public utility, as defined by Section 4905.03(A)(4) Revised Code, and is duly organized and existing under the laws of the State of Ohio.
2. Complainant’s Complaint consists of seven pages. Ohio Edison will attempt to specifically answer each allegation. To the extent Ohio Edison does not respond to a specific allegation, Ohio Edison denies such allegation.
3. Ohio Edison denies for lack of knowledge the allegations contained on the first numbered page of the complaint.
4. As to the second numbered page, the document speaks for itself and no further response is necessary.
5. As to the third numbered page, the document speaks for itself and Ohio Edison denies the allegations contained in the document.

6. As to the fourth numbered page, the document speaks for itself and no further response is necessary.

7. As to the fifth numbered page, the document speaks for itself and no further response is necessary.

8. As to the sixth numbered page, the document speaks for itself and no further response is necessary.

9. As to the seventh numbered page, the document speaks for itself and Ohio Edison denies the allegations contained in the document.

AFFIRMATIVE DEFENSES

SECOND DEFENSE

10. The Complaint fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

THIRD DEFENSE

11. The Complaint fails to state a claim upon which relief can be granted.

FOURTH DEFENSE

12. Ohio Edison at all times complied with Ohio Revised Code Title 49; the applicable rules, regulations, and order of the Public Utilities Commission of Ohio; and Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FIFTH DEFENSE

13. The Commission lacks subject matter jurisdiction over the Complaint.

SIXTH DEFENSE

14. Ohio Edison reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, Ohio Edison respectfully requests an Order dismissing the complaint and granting Ohio Edison all other necessary and proper relief.

Respectfully submitted,

/s/ Carrie M. Dunn

Carrie M. Dunn (#0076952)

Counsel of Record

FirstEnergy Service Company

76 South Main Street

Akron, Ohio 44308

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On behalf of Ohio Edison Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by U.S. mail to the following person on this 22nd day of July 2015.

Charles Kittinger
1860 Massillon Road
Akron, Ohio 44312

/s/ Carrie M. Dunn

Attorney for The Ohio Edison Company

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 15-1134-EL-CSS

Summary: Answer electronically filed by Ms. Carrie M Dunn on behalf of Ohio Edison Company