

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Ron Jackson,

Complainant,

v.

Duke Energy Ohio, Inc.,

Respondent.

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Case No. 15-1517-EL-CSS

ANSWER OF DUKE ENERGY OHIO, INC.

In accordance with Rule 4901-9-01(D), Ohio Administrative Code, now comes Respondent Duke Energy Ohio, Inc. (Duke Energy Ohio) and for its answer to the Complaint of Ron Jackson (Complainant) states:

FIRST DEFENSE

1. Duke Energy Ohio 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 one unnumbered page and four attachments. Duke Energy Ohio will attempt to specifically answer each allegation. To the extent Duke Energy Ohio does not respond to a specific allegation, Duke Energy denies such allegation.

3. In response to the Complaint, Duke Energy denies all allegations. Duke Energy Ohio has complied with all Commission rules and Ohio law in regards to the right of way in front of Complainant's property at 6011 Harrison Avenue, Cincinnati, Ohio 45248. Duke Energy has the right to construct, operate and maintain its public utility facilities upon public road right of way under Ohio law.

4. Duke Energy denies the remaining allegations contained in the Complaint.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

5. The Complaint fails to allege that Duke Energy has violated a rule or statute applicable to it.

SECOND DEFENSE

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

THIRD DEFENSE

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

FOURTH DEFENSE

8. Duke Energy at all times complied with Ohio Revised Title 49; and the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio. These statutes, rules, regulations, and orders bar Complainant's claims.

FIFTH DEFENSE

9. Duke Energy reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, Duke Energy respectfully requests that the Complaint against it be dismissed with prejudice, for its costs incurred herein, and for all other relief to which it may appear entitled.

Respectfully submitted,

DUKE ENERGY OHIO, INC.



Amy B. Spiller (0047277)

Deputy General Counsel

Elizabeth H. Watts (0031092)

Associate General Counsel

139 E. Fourth Street, 1303-Main

P.O. Box 960

Cincinnati, Ohio 45201-0960

(513) 287-4359 (telephone)

(513) 287-4385 (facsimile)

Amy.Spiller@duke-energy.com

Elizabeth.Watts@duke-energy.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer to the complaint of Duke Energy Ohio, Inc. was served on the following parties this 14th day of September, 2015 by regular U. S. Mail, overnight delivery or electronic delivery.

Ron Jackson
6053 Cleves Warsaw Pike
Cincinnati, Ohio 45233


Elizabeth H. Watts

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 15-1517-EL-CSS

Summary: Answer Answer of Duke Energy Ohio, Inc. electronically filed by Ms. E Minna Rolfes on behalf of Elizabeth H. Watts and Duke Energy Ohio, Inc.