

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Marc Robinson,)	
)	
Complainant)	
)	
v.)	Case No. 16-135-EL-CSS
)	
American Electric Power,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On January 22, 2016, Marc Robinson (Complainant) filed a complaint against American Electric Power (AEP), stating that although he paid his November 2015 and December 2015 bills in full, AEP assessed a reconnection charge, as well as requiring another deposit. He seeks a refund for the cost of the reconnection charge and the deposit.
- (2) AEP filed its answer, and a motion to dismiss, on February 8, 2016. AEP explains that Complainant was disconnected for nonpayment and that it was necessary to reestablish Complainant's creditworthiness. Therefore, asserts AEP, pursuant to Commission rules, it may require a reconnection charge and payment of a deposit.
- (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 March 1, 2016, at 10:30 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1247, 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.
- (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 March 1, 2016, at 10:30 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1247, 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

Commission of Ohio Docketing Information System on

2/16/2016 10:45:00 AM

in

Case No(s). 16-0135-EL-CSS

Summary: Attorney Examiner Entry scheduling a settlement conference for 03/01/2016 in accordance with Finding (4). - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio