

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of James and	)	
Deborah Masters,	)	
	)	
Complainants,	)	
	)	
v.	)	Case No. 16-575-GA-CSS
	)	
The East Ohio Gas Company d/b/a	)	
Dominion East Ohio,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) The above-referenced complaint was filed on March 16, 2016. In the complaint, James and Deborah Masters (Complainants) state that, during the summer of 2015, The East Ohio Gas Company d/b/a Dominion East Ohio (DEO) installed new electric lines along their residential street in Cuyahoga Falls, Ohio and that H.R. Miller Construction Company (Construction Company) was in charge of the project. According to Complainants, their electric lines were damaged twice between September and November 2015, and Construction Company refused to accept responsibility for either incident because the electric lines were not marked. Further, while the city of Cuyahoga Falls (the City) repaired the damage from the first incident, the City refused to make repairs a second time. Complainants state that they have been without 220-volt power to their home for months, that they have reached a dead end after contacting both Construction Company and DEO, and that they are now requesting the Commission's assistance.
- (2) On April 6, 2016, DEO filed an answer generally denying the allegations in the complaint.
- (3) At this time, 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 of this complaint 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 either party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement conference shall be scheduled for May 5, 2016, at 10:30 a.m., at the offices of the Commission, 180 East Broad Street, 12th Floor, Room 1246, Columbus, Ohio 43215-3793. 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 in 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 requisite 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 the matter be scheduled for a settlement conference on May 5, 2016, at 10:30 a.m., at the offices of the Commission, 180 East Broad Street, 12th floor, Room 1246, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Kerry K. Sheets

By: Kerry K. Sheets  
Attorney Examiner

jrj/vrm

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 16-0575-GA-CSS**

Summary: Attorney Examiner Entry scheduling a hearing for May 5, 2016, at 10:30 a.m.; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio