

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
LAKEWOOD SENIOR HEALTH CAMPUS,**

**COMPLAINANT,**

**v.**

**CASE NO. 14-1413-EL-CSS**

**CASE NO. 14-1414-EL-CSS**

**CASE NO. 14-1415-EL-CSS**

**FIRSTENERGY SOLUTIONS CORP.,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on August 17, 2016

**I. SUMMARY**

{¶ 1} The Commission grants the joint motion to dismiss the complaints filed by the parties.

**II. DISCUSSION**

{¶ 2} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory. Pursuant to R.C. 4928.16, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by any electric services company subject to certification under R.C. 4928.08 or any service for which it is subject to certification.

{¶ 3} FirstEnergy Solutions Corp. (FES) is an electric services company as defined in R.C. 4928.01(A)(9), and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On August 15, 2014, Lakewood Senior Health Campus (Complainant) filed three complaints against FES in the above-captioned proceedings. In its complaints, Complainant alleges it was wrongfully billed a regional transmission organization (RTO) expense surcharge at three separate service addresses.

{¶ 5} On September 4, 2014, FES filed answers to the complaints, denying all allegations.

{¶ 6} Contemporaneously, on September 4, 2014, FES filed motions to dismiss the complaints and memoranda in support, asserting that the Commission should dismiss the complaints because they were not filed by an attorney, although they were filed on behalf of a business entity.

{¶ 7} By Entry issued May 31, 2016, in Case No. 14-1413-EL-CSS, the attorney examiner denied the motion to dismiss, finding that, while corporations appearing before the Commission must be represented by an attorney, Ohio Adm.Code 4901-1-08(D) permits anyone with the requisite authority to settle the issues in the case to stand in for a corporation for purposes of the settlement conference. Additionally, the attorney examiner scheduled a settlement conference.

{¶ 8} Thereafter, on July 11, 2016, FES and Complainant filed a joint motion to dismiss the complaints, requesting that the Commission enter an order terminating the complaints.

{¶ 9} The Commission finds the joint motion to dismiss the complaints filed by the parties is reasonable and should be granted.

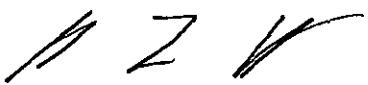
III. ORDER

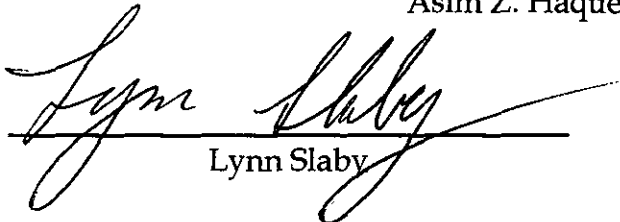
{¶ 10} It is, therefore,

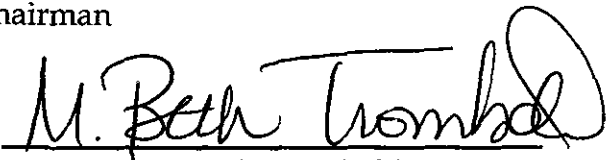
{¶ 11} ORDERED, That the joint motion to dismiss the complaints filed by the parties be granted. It is, further,


{¶ 12} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Asim Z. Haque, Chairman

  
Lynn Slaby

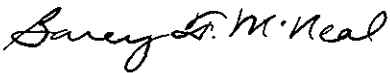
  
M. Beth Trombold

  
Thomas W. Johnson

  
M. Howard Petricoff

MWC/sc

Entered in the Journal  
AUG 17 2016

  
Barcy F. McNeal

Barcy F. McNeal  
Secretary