

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF DONELL BARKER,

COMPLAINANT,

v.

CASE NO. 16-1225-EL-CSS

THE TOLEDO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on December 13, 2016

{¶ 1} On September 22, 2016, the attorney examiner issued an Entry scheduling a December 8, 2016 hearing in this matter.

{¶ 2} On November 29, 2016, Donell Barker contacted the attorney examiner to request a continuance of the hearing. Mr. Barker stated that he needs additional time to obtain records, documents, and other information to support his complaint. Mr. Barker filed a letter on December 1, 2016, repeating the request and his reasons for a continuance.

{¶ 3} Accordingly, the hearing shall be rescheduled to February 1, 2017, at 1:00 p.m. at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.

{¶ 4} Any party intending to present direct, expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

{¶ 5} 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).

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the hearing be rescheduled to February 1, 2017, at 1:00 p.m. at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793. It is, further,

{¶ 8} 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

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in

Case No(s). 16-1225-EL-CSS

Summary: Attorney Examiner Entry rescheduling hearing to 02/01/2017 in accordance with Paragraph 3. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio