

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF
GREGORY J. AUGUSTINE,

COMPLAINANT,

v.

CASE NO. 16-1939-GA-CSS

NORTH AMERICAN POWER AND GAS, LLC,

RESPONDENT.

ENTRY

Entered in the Journal on January 4, 2017

I. SUMMARY

{¶ 1} The Commission finds that this complaint should be dismissed at the request of 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 relating to any service furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory. Pursuant to R.C. 4929.24, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by a retail natural gas supplier subject to certification under R.C. 4929.20 of any service for which it is subject to certification.

{¶ 3} North American Power and Gas, LLC (NAP&G) is a retail natural gas supplier as defined in R.C. 4929.01, and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On September 26, 2016, Gregory J. Augustine (Complainant) filed a complaint with the Commission against NAP&G. In the complaint, Complainant stated that his rates were unjustifiably increased without his knowledge and that he never

received notice of possible rate increases. Complainant requested that he be provided with a refund of all overcharges. Further, Complainant stated that he was seeking compensation for late fees that he was charged and for the financial stress that this matter has caused.

{¶ 5} On November 10, 2016, NAP&G filed an answer denying, or stating that it lacked sufficient knowledge to either confirm or deny, the allegations in the complaint. NAP&G also filed a motion for leave to file its answer out of time. The Commission finds that the motion, which is not opposed by the Complainant, is reasonable and should be granted.

{¶ 6} On November 29, 2016, the parties filed a joint motion to dismiss the complaint. In the motion, the parties request that the complaint be dismissed with prejudice, because all matters in controversy have been satisfactorily resolved.

{¶ 7} In view of the settlement of the complaint, the Commission finds that this case should be dismissed and closed of record.

III. ORDER

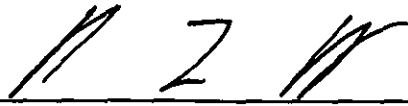
{¶ 8} It is, therefore,

{¶ 9} ORDERED, That NAP&G's motion for leave to file its answer out of time be granted. It is, further,

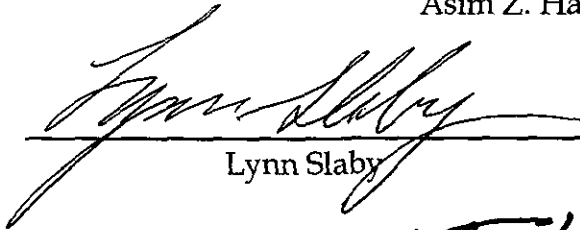
{¶ 10} ORDERED, That the joint motion to dismiss be granted and that Case No. 16-1939-GA-CSS be dismissed with prejudice and closed of record. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon each party of record.

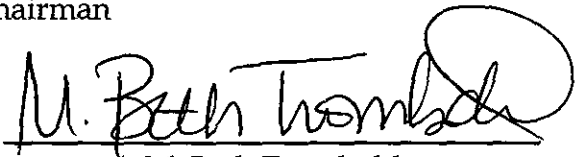
THE PUBLIC UTILITIES COMMISSION OF OHIO



Asim Z. Haque, Chairman



Lynn Slaby



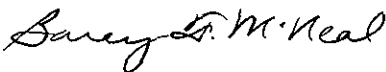
M. Beth Trombold



Thomas W. Johnson

KKS/vrm

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JAN 04 2017



Barcy F. McNeal
Secretary