

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
JANICE L. GUESS,**

COMPLAINANT,

v.

CASE NO. 14-2313-EL-CSS

OHIO POWER COMPANY, D/B/A AEP OHIO,

RESPONDENT.

ENTRY

Entered in the Journal on January 5, 2017

{¶ 1} On December 23, 2014, Janice L. Guess (Complainant) filed this complaint against Ohio Power Company d/b/a AEP Ohio (Respondent). Briefly summarized, the complaint alleges, among other things, that Respondent: (a) unlawfully disconnected power at Complainant's residence; (b) engaged in meter reading and billing activities which included sending to Complainant's home unidentified employees who acted in an unruly and hostile manner and engaged in alleged trespassing and suspected vandalism of Complainant's private property; and (c) acted in such a manner as to impinge upon Complainant's and her mother's health, safety, and comfort within their own home.

{¶ 2} By Entry issued on February 12, 2016, a hearing in this case that had been previously scheduled to occur on February 16, 2016, was indefinitely postponed.

{¶ 3} By Entry dated January 25, 2016, the attorney examiner found that reasonable grounds for complaint have been stated. Since no settlement of the case has been achieved to date, the attorney examiner finds it appropriate to, once again, schedule an evidentiary hearing in this matter.

{¶ 4} Accordingly, a hearing in this matter should be scheduled to begin at 10:00 a.m. on March 9, 2017, in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 5} Any party intending to present direct expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(l)(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 commencement of the hearing. The attorney examiner recognizes that Respondent has already filed and served direct expert testimony in this case in anticipation of the February 16, 2016 hearing that was cancelled. Respondent need not refile that same testimony over again, to the extent it expects to use that same testimony at the hearing being scheduled by this Entry.

{¶ 6} In complaint proceedings, the burden of proof rests with the complainant. Therefore, at hearing, it shall be Complainant's responsibility to appear and to present evidence in support of the complaint.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That a hearing in this matter be scheduled for March 9, 2017, at 10:00 a.m., in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

{¶ 9} ORDERED, That the terms of this Entry be observed. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/dah

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1/5/2017 2:32:57 PM

in

Case No(s). 14-2313-EL-CSS

Summary: Attorney Examiner Entry ordering a hearing in this matter be scheduled for March 9, 2017, at 10:00 a.m., in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793; and that the terms of this Entry be observed.
Entry
electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.