

FILE

FAX

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TO: PUCO
DOCKETING DEPARTMENT

FAX: 614-466-0313

FROM: DIANE WILKOS, COMPLAINANT

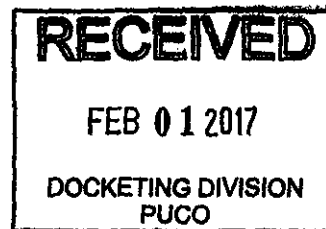
DATE: FEBRUARY 1, 2017

RE: CASE NO. 16-183-EL-CSS

Attached please find the final brief for the above referenced case. If you have any questions, please do not hesitate to contact me at (330) 717-1969 or email me at dianewilkos@gmail.com.

Thank you for your consideration in this matter.

Cc: Christine Watchhorn
Carrie Dunn



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**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

| | | |
|---------------------------|---|------------------------|
| IN THE MATTER OF THE |) | |
| COMPLAINT OF DIANE WILKOS |) | Case No. 16-183-EL-CSS |
| |) | |
| Complainant |) | |
| |) | |
| v. |) | BRIEF |
| |) | |
| OHIO EDISON COMPANY |) | |
| |) | |
| Respondent |) | |

On January 21, 2016, I, Diane Wilkos, Complainant filed a complaint with the PUCO regarding a bill that I paid to Ohio Edison that I believed to be excessive. The complaint is outlined in the letter.

On June 15, 2015, my husband, Dan Wilkos, requested service to be installed at 15 Victor, Struthers, Ohio 44471 for a new home we were building in the middle of a residential neighborhood with existing service. New service had to be run to our new home. On June 17, 2015, the email confirmation was sent to Mr. Wilkos. The first time Mr. Burich of Ohio Edison called, Mr. Wilkos met with him. Approximately 45 days after their first meeting, Mr. Wilkos had to call Mr. Burich back for a status.

In reference to Page 5, Line 4 of David Burich's deposition, when Mr. Burich met with Mr. Wilkos on June 26, 2015, Mr. Burich indicated that the foundation had begun on the house. That is incorrect. The foundation was never poured until the 2nd week of August and the block was laid August 26.

In reference to Page 7, Line 16 of David Burich's deposition, Mr. Burich indicated that the line extension project would take 6-8 weeks to complete. The project took nearly 15 weeks. At this time, Mr. Burich was untruthful when he denied saying that the project may be delayed because Ohio Edison needed to answer the PUCO complaint that was filed. At that time, Mr. Wilkos indicated that it better not be delayed any further because the bill had been paid in full in the amount of \$12,971.12. The complaint filed with the PUCO should not have had any bearing on the installation of the service. Also, Mr. Burich never indicated that installation of service would take 6 months. Service was finally provided December 11, 2015.

In reference to Page 9, Line 19 of David Burich's deposition, there was a tree in front of one of the existing poles that had to be removed anyway in order to service and maintain the pole as stated. It was never clear if the Wilkos' paid for the tree removal.

In reference to Page 10, Line 5 of David Burich's deposition, the letters that were supposedly sent to the neighbors were never included in the discovery requested. These letters are

relevant to the case because Mr. Burich never notified the Wilkos' about the delays in the project relative to these letters.

In reference to Page 15, Line 21 of David Burich's deposition, if there was not a charge to replace the existing pole number 66-292, then why were we billed for the existing pole replacement at the end of the drive? As previously requested, there is no breakdown to show how much a pole costs to replace, therefore, it is uncertain whether or not we were charged.

In reference to Page 16, Line 6 of David Burich's deposition, if Ohio Edison is required to document all work performed through the CREWS system, then how can Mr. Burich just leave a pole replacement out. Also, Mr. Eric Jonke during testimony indicated that the adjusted bill referred to the pole not being charged was in the amount of \$1,096. If we were billed per pole the amount of \$1,096 and there was a total of 5 poles billed instead of 6, the total should have been \$5,480. The additional \$12,491 was excessive.

In reference to Page 17, Line 3 of David Burich's deposition, how could this pole be maintained if these trees weren't removed. Several times Mr. Burich refers to the necessary removal of vegetation in order to maintain these poles in the future. How would this happen if the trees weren't removed? We believe that we paid the cost of vegetation removal that should have been removed by Ohio Edison at their cost for maintenance purposes.

In reference to Page 17, Line 17 of David Burich's deposition, Mr. Burich told Mr. Wilkos that he had all the paperwork. If Mr. Burich had no intentions of running underground as stated, why would he spend so much time researching the ownership of the parcels and charge back the time to the Wilkos' if it wasn't possible in the first place?

In reference to Page 19, Line 19 of David Burich's deposition, Mr. Burich gave an estimated cost of \$10,000 initially, however, there was no bill received until nearly November, 2015. Service was requested June, 2015. He also explained that Ohio Edison would pay \$5,000 and we would be responsible for the balance, which is what we budgeted for (approximately \$5,000). The final bill almost tripled for our out of pocket. The total bill was \$17,971, \$5,000 was paid by Ohio Edison, leaving a balance of nearly \$13,000 which had to be paid in full in order to get service.

In reference to Page 22, Line 18 of David Burich's deposition, Mr. Burich did say that the project may be delayed because of the complaint filed with the PUCO.

In reference to Page 23, Line 3 of David Burich's deposition, two existing poles were upgraded.

In reference to Page 23, Line 10 of David Burich's deposition, options were available in an already established neighborhood.

In reference to Page 23, Line 17 of David Burich's deposition, the underground line on our property should have been an option, considering Mr. Burich researched the ownership of the properties before discussing the "loss of voltage" with Mr. Wilkos (the reason given for not

proceeding underground). There would have been a cost savings to Mr. Wilkos because he could have provided his own excavating and already had the conduit for the lines. Not to mention, it has never been made clear why there is a line item in the bill provided referring to "Line Transformers (Underground)" where none exist.

In reference to Page 24, Line 17 of David Burich's deposition, Mr. Burich never explained what "circumstances" that he was referring to. This project took 6 months to complete in a residential neighborhood where service already existed. This is excessive.

In reference to Page 5, Line 15 of Eric Jonke's deposition, Mr. Jonke refers to existing service. Why was it so costly to install service where service already existed? It was excessive.

In reference to Page 6, Line 8 of Eric Jonke's deposition, two existing poles were replaced.

In reference to Page 6, Line 13 of Eric Jonke's deposition, an itemized bill was requested several times and never provided.

In reference to Page 7, Line 16 of Eric Jonke's deposition, a Regular Cost Estimate should have been provided to indicate that the bill would nearly triple from the original verbal quote of \$10,000.

In reference to Pages 7-8, Line 1 of Eric Jonke's deposition, we believe the forestry work is listed separately and charged twice under labor and forestry.

In reference to Page 8, Line 5 of Eric Jonke's deposition, forestry is listed as \$2,600.

In reference to Page 9, Line 4 of Eric Jonke's deposition, when asked where is the credit shown for the pole that was not billed, Eric Jonke testified that the adjusted bill referred to the pole not being charged was in the amount of \$1,096. If we were billed per pole the amount of \$1,096 and there was a total of 5 poles billed instead of 6, the total should have been \$5,480. Again, the additional \$12,491 we paid was excessive.

The costs for installing our utilities were as follows: Water=\$1,500; Natural Gas=\$0; Electric=\$17,971 (we paid \$12,971).

Temporary service was never provided and our bill was paid in full on time and service still was not provided for another month and half. Also, by not having temporary service, we incurred other expenses in building the home with generators and fuel. I also believe that we incurred the costs of upgrading two poles and trimming and removal of vegetation that Ohio Edison should have already been responsible.

I did not believe that installation should be free, however, as discussed with Mr. Burich, the cost nearly tripled and took 6 months to complete in a residential neighborhood where service already existed. I believe we have been victimized by Ohio Edison/First Energy and were forced to pay an excessive amount if we wanted electrical service that we had no way to budget for. It caused a financial burden and stress.

Respectfully submitted,

/s/ Diane Wilkos
DIANE WILKOS
Complainant
15 Victor
Struthers, Ohio 44471
330-717-1969

I, hereby certify that on the 1st day of February, 2017 a copy was sent to the Counsel of Record, Carrie M. Dunn, FirstEnergy Service Company, 76 South Main Street, Akron, Ohio 44308, and via email cdunn@firstenergycorp.com, and Christine E. Watchhorn, Ulmer & Berne, LLP, 65 East State Street, Suite 1100, Columbus, Ohio 43215, and via email cwatchorn@ulmer.com.

/s/ Diane Wilkos
DIANE WILKOS
Complainant