

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

MAUREEN BARCELO,

Complainant,

v.

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY**

Respondent.

Case No. 17-1079-EL-CSS

ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

The Cleveland Electric Illuminating Company (“CEI” or “Company”) is a public utility as defined by §4905.03(C) of the Ohio Revised Code, and is duly organized and existing under the laws of the State of Ohio. The Complaint of Maureen Barcelo (“Complainant”) consists of two numbered pages containing unnumbered paragraphs. CEI will attempt to specifically answer each allegation. To the extent CEI does not respond to a specific allegation, CEI denies any such allegation.

Therefore, in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, Respondent CEI for its answer to the Complaint states:

FIRST DEFENSE

1. CEI admits the Company transferred prior PIPP balances to Complainant’s account at 355 Solon Road, #110, Chagrin Falls, Ohio 44022 (“355 Solon Road”) upon her initiation of service at the premise. These balances accrued on two accounts (Account No. 110054893034 and Account No. 110044256938) for like-service where Complainant was the customer of record. The Company terminated electric service for these two accounts in or about November 2009 and July 2006, respectively.

2. CEI lacks knowledge or information sufficient to form a belief as to the truth of Complainant's allegation that she was provided copies of bills from October 2009 and December 2009 for Account No. 110054893034 and, therefore, denies same.

3. CEI lacks knowledge or information sufficient to form a belief as to the truth of Complainant's allegation that she did not reside at 163 West Carriage Drive (the service address for Account No. 110054893034) after August 2009, and, therefore, denies same. By way of further response, CEI states that it terminated service at 163 West Carriage Drive on or about November 2, 2009, after receiving a phone call from Complainant on or about October 30, 2009, requesting that the service be terminated.

4. CEI admits it terminated electric service at 355 Solon Road on or about September 26, 2016, after the Company became aware of usage on a vacant account at that premise. Answering further, CEI states that there was no customer of record at 355 Solon Road in September 2016 despite electric usage being recorded at the premise. The Company restored electric service at 355 Solon Road on or about October 20, 2016, upon Complainant's establishment of service at the premise.

5. CEI admits that, in order to have electric service properly established at 355 Solon Road, Complainant utilized the Commission's Winter Reconnect Order and paid a \$175.00 deposit in accordance with that Order.

6. CEI admits that, also in accordance with the requirements of the Commission's Winter Reconnect Order, the Company placed Complainant on an installment payment plan for a past due PIPP balance that Complainant accrued on her prior account at 163 West Carriage Drive. The total unpaid balance from that account was \$976.50.

7. CEI admits that, in or about December 2016, the Company transferred to Complainant's account at 355 Solon Road an additional past due PIPP balance in the amount of \$271.22 from another prior like-service account in Complainant's name (Account No. 110044256938).

8. CEI denies that the Company is charging Complainant \$998.65 for past due PIPP balances from prior accounts. The combined total past due PIPP balance amount from Complainant's two prior accounts for like-service is \$1,247.72.

9. CEI lacks knowledge or information sufficient to form a belief as to the truth of Complainant's allegation that she does not "remember being on PIPP or HEAP," and, therefore, denies same.

10. CEI lacks knowledge or information sufficient to form a belief as to the truth of Complainant's allegations related to conversations with third-parties and, therefore, denies same.

11. CEI denies any remaining allegations in the Complaint.

SECOND DEFENSE

12. The Complaint fails to set forth reasonable grounds for complaint, as required by Section 4905.26 of the Revised Code.

THIRD DEFENSE

13. The Complaint fails to state a claim upon which relief can be granted.

FOURTH DEFENSE

14. CEI at all times complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and Tariff PUCO No. 13, on file with the Public Utilities Commission of Ohio. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FIFTH DEFENSE

15. CEI reserves the right to supplement its answers with other defenses, including affirmative defenses, as discovery progresses in this matter.

WHEREFORE, CEI requests an order dismissing the Complaint and granting CEI any other relief deemed necessary and proper.

Respectfully submitted,

/s/ Joshua R. Eckert

Joshua R. Eckert (#0095715)

Counsel of Record

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On behalf of The Cleveland Electric
Illuminating Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer of The Cleveland Electric Illuminating Company was served upon the following by U.S. mail on this 8th day of May 2017.

Maureen Barcelo
355 Solon Road, #110
Chagrin Falls, Ohio 44022

/s/ Joshua R. Eckert
An Attorney for The Cleveland
Electric Illuminating Company

This foregoing document was electronically filed with the Public Utilities

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Summary: Answer of The Cleveland Electric Illuminating Company electronically filed by Mr. Joshua R. Eckert on behalf of The Cleveland Electric Illuminating Company