

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

NATHAN KLEIN, et al,)	
)	
Complainants,)	
)	
v.)	Case No. 17-1208-GA-CSS
)	
THE EAST OHIO GAS COMPANY D/B/A)	
DOMINION ENERGY OHIO,)	
)	
Respondent.)	

ANSWER

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO or the Company), for its answer to the complaint of Nathan and Chany Klein (Complainants), states:

FIRST DEFENSE

1. DEO denies that Nathan Klein is a customer of record. DEO avers that Chany Klein is both the customer of record at 2416 Brentwood Road, Beachwood, Ohio 44122 and the applicant for service at 2520 Blossom Lane, Beachwood, Ohio 44122 (the Premises).
2. DEO avers that on February 17, 2017, the Complainants submitted an application for service to the Premises in the estimated quantity of 2,700,000 British Thermal Units per hour (BTU/hr).
3. DEO avers that approximately 200,000 BTU/hr is required to provide service to a typical single-family home.
4. DEO avers that the Complainants' application specified that natural gas service would be required for the following appliances: four furnaces; three water heaters; four ranges; three dryers; one outside grill; two fireplaces; and a generator.

5. DEO avers that the existing mainline on Blossom Lane is a three-inch mainline that could serve an additional load of up to 250,000 BTU/hr.

6. DEO avers that the existing mainline was installed in 1987. DEO avers that, to the best of its knowledge, only one new home has been constructed on Blossom Lane in the last ten years and that the majority of homes were constructed in the late 1980s and early 1990s. DEO denies that the size and capacity of the line represents a “miscalculation.”

7. DEO avers that connecting the Premises to the existing mainline would result in a significant drop in pressure on the system, would degrade the volume and reliability of service available to existing customers, and would likely result in outages under peak-demand conditions.

8. DEO avers that it determined that the most cost-effective means to provide natural gas service to the Premises was not to upgrade the existing mainline but to construct a new mainline extension to connect with a nearby higher pressure main.

9. DEO admits that, in accordance with the terms and conditions of its tariffs, it estimated that Complainants would be required to contribute \$107,450 to cover the cost of extending the mainline and that Complainants would be entitled to a refund of \$4,553 for each new customer that tapped into the new mainline in the next ten years, not to exceed \$107,450.

10. DEO is without sufficient knowledge or information to admit or deny the remaining allegations in the complaint, and generally denies any allegations not specifically admitted or denied in this Answer in accordance with Ohio Adm. Code 4901-9-01(D).

AFFIRMATIVE DEFENSES

SECOND DEFENSE

11. The complaint does not comply with the Commission's rules requiring "a statement which clearly explains the facts." Ohio Adm. Code 4901-9-01(B). The allegations are not in numbered-paragraph, but narrative, form; many of the allegations and statements in the complaint are compound and argumentative; and many of the allegations omit numerous details necessary to answer them. The Company, has attempted, to the best of its ability, to answer the allegations, but reserves the right to amend its answer in the event it has incorrectly understood the allegations.

THIRD DEFENSE

12. The complaint fails to set forth reasonable grounds for complaint, as required by R.C. 4905.26.

FOURTH DEFENSE

13. The complaint does not set forth a claim for which relief may be granted.

FIFTH DEFENSE

14. The complaint is barred by laches, waiver, and estoppel.

SIXTH DEFENSE

15. DEO 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 the Company's tariffs. These statutes, rules, regulations, orders and tariff provisions bar Complainants' claims.

SEVENTH DEFENSE

16. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, DEO respectfully requests an Order dismissing the complaint and granting it all other necessary and proper relief.

Dated: May 30, 2017

Respectfully submitted,

/s/ Andrew J. Campbell

Mark A. Whitt (0067996)

Andrew J. Campbell (0081485)

Rebekah J. Glover (0088798)

WHITT STURTEVANT LLP

The KeyBank Building, Suite 1590

88 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3946

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

campbell@whitt-sturtevant.com

glover@whitt-sturtevant.com

(All counsel are willing to accept service by email)

ATTORNEYS FOR THE EAST OHIO GAS
COMPANY D/B/A DOMINION ENERGY OHIO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by mail to the following persons this 30th day of May, 2017:

Nathan and Chany Klein
2416 Brentwood Road
Beachwood, Ohio 44122

/s/ Rebekah J. Glover
One of the Attorneys for The East Ohio Gas
Company d/b/a Dominion Energy Ohio

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Case No(s). 17-1208-GA-CSS

Summary: Answer electronically filed by Ms. Rebekah J. Glover on behalf of The East Ohio Gas Company d/b/a Dominion Energy Ohio