

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

LINDA SHATTEEN,)	
)	
Complainant,)	
)	
v.)	Case No. 17-2141-EL-CSS
)	
THE CLEVELAND ELECTRIC)	
ILLUMINATING COMPANY,)	
)	
Respondent.)	
)	

ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

The Cleveland Electric Illuminating Company (“CEI” or “Company”) is a public utility company, 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 Linda Shatteen (“Complainant”) consists of two (2) unnumbered pages, each containing unnumbered paragraphs. CEI will attempt to specifically answer each allegation in the Complaint. 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 avers that the first unnumbered page of the Complaint contains no factual allegations to which a response is required. To the extent a response is required, CEI denies any allegations.

2. As to the allegations contained in first unnumbered paragraph on the second unnumbered page of the Complaint, CEI admits that Complainant has requested to be placed on a twenty-four (24) month payment plan for her unpaid balance. By way of further response, CEI

averts that the Company has previously entered into several installment payment agreements with Complainant to facilitate her payment of charges for electric service that were owed and past due. CEI denies the remaining allegations contained in the first unnumbered paragraph on the second unnumbered page of the Complaint.

3. CEI avers that Complainant's current outstanding balance is \$2,939.41. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in the second unnumbered paragraph on the second unnumbered page of the Complaint and, therefore, denies same.

4. As to the allegations contained in the third unnumbered paragraph on the second unnumbered page of the Complaint, CEI admits Complainant is no longer on a twenty-four (24) month installment payment plan for her arrearages. By way of further response, CEI avers that in February 2017 Complainant used the special procedures to maintain service provided by the Commission's order in *In the Matter of the Commission's Consideration of Solutions Concerning the Disconnection of Gas and Electric Service in Winter Emergencies for the 2016-2017 Winter Heating Season*, Case No. 16-1782-GE-UNC, Finding and Order (Sept. 13, 2017) ("2016-2017 Winter Reconnect Order"), and was approved by CEI for a a twenty-four (24) month installment payment plan for amounts owed and past due. Further answering, CEI avers that Complainant defaulted on this installment payment plan and has subsequently been placed on several different installment payment plans, each in accordance with Commission rules. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in the third unnumbered paragraph on the second unnumbered page of the Complaint and, therefore, denies same.

5. As to the allegations contained in the fourth unnumbered paragraph on the second unnumbered page of the Complaint, CEI again avers that Complainant utilized the Commission's 2016-2017 Winter Reconnect Order to maintain service in February 2017 and was placed on an installment payment plan for amounts owed and past due in accordance with that order. Complainant, however, subsequently defaulted on this installment payment plan and has since been placed on several different payment plans, each in accordance with Commission rules. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in the fourth unnumbered paragraph on the second unnumbered page of the Complaint and, therefore, denies same.

6. CEI avers that Complainant has been billed properly for electric service. CEI lacks knowledge or information sufficient to form a belief as to the truth of any remaining allegations in the fifth unnumbered paragraph on the second unnumbered page of the Complaint and, therefore, denies same.

7. CEI lacks knowledge or information sufficient to form a belief as to the truth of the allegations in the sixth unnumbered paragraph on the second unnumbered page of the Complaint and, therefore, denies same.

8. CEI denies any remaining allegations in the Complaint.

AFFIRMATIVE DEFENSES

In addition, CEI asserts the following affirmative defenses in response to the Complaint:

SECOND DEFENSE

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

THIRD DEFENSE

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

FOURTH DEFENSE

11. 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

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

WHEREFORE, CEI respectfully requests an Order dismissing the Complaint and granting CEI all other necessary and proper relief.

Respectfully submitted,

/s/ Joshua R. Eckert

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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 sent to the following by U.S. mail on this 7th day of November, 2017.

Linda Shatteen
29400 Fairmount Blvd.
Pepper Pike, Ohio 44124

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

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in

Case No(s). 17-2141-EL-CSS

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