

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint)	
of Gregory T. Howard,)	
Complainant,)	
v.)	Case No. 17-2536-GA-CSS
)	
Columbia Gas of Ohio, Inc.,)	
Respondent.)	

**ANSWER
OF COLUMBIA GAS OF OHIO, INC.**

Now comes the Respondent, Columbia Gas of Ohio, Inc. ("Columbia"), and files its Answer to the Complaint filed herein on December 21, 2017:

1. Columbia denies Paragraph 1 of Mr. Howard's Complaint. Columbia avers that, under R.C. 4905.26, the Commission "shall fix a time for hearing" upon receiving a "complaint in writing against any public utility by any person, firm, or corporation, * * * that any rate, fare, charge, toll, rental, schedule, classification, or service * * * is in any respect unjust, unreasonable, unjustly discriminatory, unjustly preferential, or in violation of law, or that any regulation, measurement, or practice affecting or relating to any service furnished by the public utility * * * is * * * in any respect unreasonable, unjust, insufficient, unjustly discriminatory, or unjustly preferential, * * * if it appears that reasonable grounds for complaint are stated * * *."

2. Columbia denies Paragraph 2 of Mr. Howard's Complaint. Columbia avers that R.C. 4905.22 provides, in part, that "[e]very public utility shall furnish necessary and adequate service and facilities, and every public utility shall furnish and provide with respect to its business such instrumentalities and facilities, as are adequate and in all respects just and reasonable." Columbia avers that R.C. 4905.22 further provides, in part, that "[a]ll charges made or demanded for any service rendered * * * shall be just, reasonable, and not more than the charges allowed by law or by order of the public utilities commission * * *."

3. Columbia admits the allegations in Paragraph 3 of Mr. Howard's Complaint.

4. Columbia admits the allegations in Paragraph 4 of Mr. Howard's Complaint, but Columbia denies that the allegations raised in Mr. Howard's instant Complaint stem "from events occurring subsequent to the filing" of Mr. Howard's Complaint in Case No. 15-873-GA-CSS.

5. Columbia denies the allegations in Paragraph 5 of Mr. Howard's Complaint. Columbia objects to Mr. Howard's attempt to incorporate his filings from Case No. 15-873-GA-CSS into the evidentiary record in this matter through his Complaint.

6. Columbia denies the allegations in Paragraph 6 of Mr. Howard's Complaint. Columbia objects to Mr. Howard's attempt to incorporate his filings from Case No. 15-873-GA-CSS into the evidentiary record in this matter through his Complaint.

7. Columbia admits that a \$175 payment was credited to Brenda Palmer's account in February of 2015. Columbia lacks sufficient information to admit or deny the allegation regarding Mr. Howard reverifying his PIPP eligibility in early 2015. Columbia admits that it neither received additional payment towards the growing balance on Ms. Palmer's account, nor did Ms. Palmer enter into a payment plan before Columbia disconnected service in April 2015. Columbia denies the remaining allegations in Paragraph 7. Columbia objects to Mr. Howard's attempt to incorporate his filings from Case No. 15-873-GA-CSS into the evidentiary record in this matter through his Complaint.

8. Columbia denies the allegations in Paragraph 8 of Mr. Howard's Complaint.

9. Columbia denies the allegations in Paragraph 9 of Mr. Howard's Complaint.

10. Columbia denies the allegations in Paragraph 10 of Mr. Howard's Complaint.

Affirmative Defenses

1. Mr. Howard has failed to state reasonable grounds for a complaint against Columbia as required by Ohio Revised Code § 4905.26.
2. Columbia has complied with all applicable Ohio statutes, the Commission's rules and regulations, and Columbia's tariff.
3. The doctrine of issue preclusion prevents relitigation here of the issues resolved in Case No. 15-873-GA-CSS.
4. Columbia reserves the right to raise other defenses as warranted by discovery in this matter.

Respectfully submitted,

/s/ Eric B. Gallon

Eric B. Gallon (0071465)

(Counsel of Record)

Porter Wright Morris & Arthur LLP

41 South High Street, Suite 3000

Columbus, Ohio 43215

Tel: (614) 227-2190

Fax: (614) 227-2100

Email: egallon@porterwright.com

Stephen B. Seiple, Asst. General

Counsel (0003809)

Joseph M. Clark, Sr. Counsel

(0081179)

290 W. Nationwide Blvd.

P.O. Box 117

Columbus, Ohio 43216-0117

Telephone: (614) 460-4648

(614) 460-6988

Email: sseiple@nisource.com

josephclark@nisource.com

(Willing to accept service by e-mail)

**Attorneys for Respondent
COLUMBIA GAS OF OHIO, INC.**

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document is also being served via U.S. Mail and electronic mail on the 10th day of January, 2018, upon the parties listed below.

Gregory T. Howard
381 S. Detroit Avenue
Toledo, Ohio 43607
hwrdrgrgy@yahoo.com

/s/ Eric B. Gallon
Eric B. Gallon

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in

Case No(s). 17-2536-GA-CSS

Summary: Answer electronically filed by Cheryl A MacDonald on behalf of Columbia Gas of Ohio, Inc.