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BEFORE

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THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

In the Matter of the Complaint
Of Gregory T. Howard,

Complainant,

Case No. 17-2536-GA-CSS

-vs-

Columbia Gas of Ohio, Inc.,

Respondent.

AMENDED COMPLAINT

Now comes Complainant for his amended complaint and states as follows:

1. Complainant incorporates and restates each of the above paragraphs set forth in his new complaint as fully set forth herein. See attached Updated Affidavit (Jan. 16, 2018) ¶¶ 1-7.
2. Complainant restates his service termination of June 2017 at his residence, occurring after May 2015, complaint proceedings in this matter.
3. Complainant avers that Infra Source improperly utilized heavy equipment in replacing a service line, resulting in damage to the driveway at the premises and that Infra Source has refused to make the necessary repairs to the driveway. In support of this assertion the Complainant incorporates by reference his photographs attached to his June 26, 2015 filing and request that Infra Source concede to this and that his incorporated document be admitted as part of the evidentiary record in this case.
4. Complainant avers that record provides evidence that the faulty meter relocated outside the premises by Columbia's agent, Infra Source, on September 30, 2011, as of November

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6, 2017, is still overstating the natural gas usage and support the claim that the billed amount on both accounts is incorrect. See Complaint at ¶9.

5. As set out herein Infra Source has violated Ohio law or rules and the *prima facie* evidence presented herein supports this Complaint.

6. Complainant reserves the right to raise other claims as warranted by discovery in this matter.


WHEREFORE, the Complainant prays for the following relief: (1) that the Commission issue an Opinion and Order in this matter finding that Complainant met his burden of proof relative to the allegations regarding Respondent, Infra Source improperly utilized heavy equipment in replacing a service line, resulting in damage to the driveway at the premises and that Columbia refused to make the necessary repairs to the driveway; (2) that the Commission issue an Opinion and Order in this matter finding that Complainant met his burden of proof relative to the allegations regarding that following his \$175 payment on February 4, 2015, he was in the process of reverifying his Percentage of Income payment plan (PIPP) plus eligibility at the time of disconnection on April 2, 2015 and that no payment had been determined during the winter reconnect season as of April 14, 2015, which ended on April 15, 2015 and therefore, no disconnection should have occurred; (3) that the Commission issue an Opinion and Order in this matter finding that Complainant met his burden of proof relative to the allegations regarding the gas meter installed outside the premises on September 30, 2011, is overstating the natural gas usage and resulting in an incorrect billing; and (4) further relief this Commission deems just and equitable in the premises.

Respectfully submitted,


Gregory T. Howard
381 S. Detroit Avenue
Toledo, Ohio 43607-0096
hwrdrgrgy@yahoo.com

VERIFICATION

I declare that I am the Complainant in the foregoing action; that I have read the above Amended Complaint and the facts stated therein are true. The foregoing Amended Complaint by hand of Gregory T. Howard is given subject to the penalties per 28 U.S.C. 1746.


Gregory T. Howard
Complainant-Claimant, pro-se


PROOF OF SERVICE

This is to certify that a regular copy of the foregoing of Gregory T. Howard was sent via ordinary U.S. Mail or via email, or facsimile this 18th day of January, 2018 to:

Columbia Gas of Ohio
A NiSource Company
290 W. Nationwide Blvd.
Columbus, Ohio 43215
cmacdonald@nsource.com
Facsimile to: (614) 460-8403

Fax to: (614) 466-0313
PUCO Docketing Division
Fax to: (614) 752-8351

Eric B. Gallon, Esq.
Porter, Wright, Morris & Arthur LLP
Huntington Center
41 South High Street, Suite 3000
Columbus, Ohio 43215
Facsimile to: (614) 227-2100


Gregory T. Howard
Plaintiff-Claimant, pro-se

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint
Of Gregory T. Howard,

Complainant,

-VS-

Columbia Gas of Ohio, Inc.,

Respondent.

Case No. 17-2536-GA-CSS

STATE OF OHIO

COUNTY OF LUCAS

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) SS.
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**UPDATED AFFIDAVIT IN SUPPORT OF NEW COMPLAINT
and
STATEMENT OF FACTS**

Claimant-Complainant, having been duly sworn, deposes and says that the supported declarations in the foregoing are true.

1. I have personal knowledge of the facts attested to herein.
2. Complainant incorporates and restates each of the paragraphs set forth in his *Affidavit in Support of New Complaint and Statement of Facts (Jan. 12, 2018)* as fully set forth herein, and further states the following:
3. Damage Columbia's agent caused to the driveway at Complainant's residence. See Howard I, letter to Stephen B. Seiple (June 26, 2015), showing the driveway damage Columbia's agent caused to the driveway at complainant's residence, Motion requesting Expedited Review and Consideration on Reconnection of Utility service and correction of the Commission's Opinion and Order (Nov. 6, 2017), Amended Motion requesting Expedited Review and Consideration on Reconnection of Utility service and correction of the

Commission's Opinion and Order (Nov. 8, 2017), as occurring subsequent to the Complaint filed in Howard I, which are incorporated into the evidentiary record in this matter, New Complaint ¶6 (Dec. 21, 2017), and Howard II, Motion for Expedited ruling on his Requested Relief contained his Complaint and Memorandum in Support of his Complaint alleging unfair and unjust billing practices as filed herein on December 21, 2017, Exhibit 1 (Dec. 27, 2017) showing the driveway damage Columbia's agent caused to the driveway at Complainant's residence.

4. Complainant asserts that he contacted Columbia to dispute the faulty gas meter relocated outside the premises on September 30, 2011, by its agent. See Howard I, letter to Columbia (Nov. 8, 2017), as occurring subsequent to the Complaint filed in Howard I, which is incorporated into the evidentiary record in this matter.

5. Complainant's evidence to support his claim of Columbia's disconnection of his service while the terms of the 2014-2015 Winter Reconnect Order applied and while he was in the process of reverifying his PIPP Plus eligibility. See Howard II, New Complaint ¶¶ 7-8, Motion for Expedited ruling on his Requested Relief contained his Complaint and Memorandum in Support of his Complaint alleging unfair and unjust billing practices as filed herein on December 21, 2017, Exhibit 2 (Dec. 27, 2017), showing his burden of proof with respect to his reconnection claims, the Commission should have waived and granted his request to consider the late-filed exhibit as it had satisfied the spirit of the rule and showing that Complainant was in fact following his \$175 payment on February 4, 2015, was as of April 14, 2015, reverifying his PIPP Plus eligibility and that no payment amount had been determined while the terms of the 2014-2015 Winter Reconnect Order applied which ended on April 15, 2015. See, Howard I, Application for Rehearing at page 2, as occurring subsequent to the Complaint filed in Howard I, which is incorporated into the evidentiary record in this matter, see also, the Commission's Second Entry on Rehearing, Case No. 15-873-GA-CSS (Dec. 20, 2017), ¶20. On April 2, 2015, Columbia improperly disconnected Complainant's gas service at his residence. See, Opinion and Order (Aug. 30, 2017), ¶¶ 1, and 113, which still stands.

6. Complainant states that he has raised the issue of a faulty meter in his new complaint and that he has introduced evidence in this matter to support his claim that his meter was faulty, which was installed inside the premises on June 1, 1981, and relocated outside the premises by Columbia's agent Infra Source, on September 30, 2011, is overstating the natural gas usage and resulting in incorrect billing in both accounts. See New Complaint ¶9, Exhibit A (Dec. 21, 2017).

7. On January 10, 2018, Columbia filed an Answer to the Complaint and a Motion to Dismiss the information contained in the two documents satisfies the criteria for appropriate sanctions as set forth in Ohio Revised Code §2323.51. Therefore, as shown in detail above, sanctions are appropriate under state law and Columbia's Answer to the Complaint and a Motion to Dismiss must be denied and/or stricken from the record in its entirety, as a matter of law.

Further affiant sayeth naught.


Claimant-Pro-se

Subscribed and duly sworn to before me according to law, by the above named Claimant, this 13 day of January, 2018, County of Lucas, State of Ohio.


Notary Public



ANDREW D. DIFFENDERFER
Notary Public, State of Ohio
My Comm. Expires May 25, 2022
Recorded in Lucas County


PROOF OF SERVICE

This is to certify that a regular copy of the foregoing of Gregory T. Howard was sent via ordinary U.S. Mail or via email, or facsimile this 13 day of January, 2018 to:

Columbia Gas of Ohio
A NiSource Company
290 W. Nationwide Blvd.
Columbus, Ohio 43215
cmacdonald@ni-source.com
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Gregory T. Howard
Plaintiff-Claimant, pro-se