

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
THE EAST OHIO GAS COMPANY D/B/A
DOMINION ENERGY OHIO,**

COMPLAINANT,

v.

CASE NO. 18-290-GA-PWC

CITY OF MARIETTA, OHIO,

RESPONDENT.

ENTRY

Entered in the Journal on May 16, 2018

{¶ 1} The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO or Complainant) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of the Commission.

{¶ 2} On March 30, 2018, DEO filed a complaint against the city of Marietta, Ohio (Marietta or the City) pursuant to R.C. 4939.06, 4909.34, and 4905.26, challenging fees and requirements imposed by an ordinance governing the use of rights-of-way within the City. The Complainant alleges that the fees are unlawful and unreasonable.

{¶ 3} On April 27, 2018, Marietta filed a motion to extend until May 14, 2018, the time for filing an answer to the complaint. In the memorandum in support of its motion, Marietta explains that the complaint was delayed in reaching the Marietta City Law Director's Office. Moreover, Marietta states that key people were absent from the office or unavailable, thereby preventing an informed answer to the complaint.

{¶ 4} On April 27, 2018, counsel for DEO filed a letter stating that DEO has no objection to Marietta's request for an extension of time.

{¶ 5} Marietta filed an answer to the complaint on May 14, 2018.

{¶ 6} The attorney examiner finds that Marietta has stated good cause to extend the time to file its answer. Given that the Complainant has no objection, Marietta's answer shall be accepted as if timely filed.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Marietta's motion to extend the time to file its answer be granted and that Marietta's answer be accepted as if timely filed. It is, further,

{¶ 9} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/L. Douglas Jennings

By: L. Douglas Jennings
Attorney Examiner

JRJ/sc

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Case No(s). 18-0290-GA-PWC

Summary: Attorney Examiner Entry granting motion to extend time to file answer - electronically filed by Sandra Coffey on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio