

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
BRENDA M. JENNINGS,**

COMPLAINANT,

v.

CASE No. 18-878-GA-CSS

**VECTREN ENERGY DELIVERY OF OHIO,
INC.,**

RESPONDENT.

ENTRY

Entered in the Journal on July 2, 2018

{¶ 1} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice relating to any service furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 2} Vectren Energy Delivery of Ohio, Inc. (VEDO) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On May 17, 2018, Brenda M. Jennings (Complainant) filed a complaint against VEDO, alleging inaccurate billing during 2009 and 2016-2018. Complainant asserts that, although her service was disconnected in 2009 at a prior address, she never received notice of the disconnection. Complainant adds that VEDO did not explain how charges from her prior address failed to appear on the bill for her current location for several months.

{¶ 4} VEDO filed its answer on June 7, 2018. VEDO admits that Complainant has been a residential gas service customer at 126 South Columbus Street in Xenia, Ohio from

February 2016 to the present. VEDO contends that, because of multiple bankruptcy filings by Complainant, service to her South Columbus Street address was disconnected for nonpayment or insufficient payment several times, and service was provided under three different account numbers. In addition, VEDO asserts that, from December 2004 to June 2009, Complainant received service at 1421 Seminole Drive in Xenia, Ohio; service there also was disconnected for insufficient payment, with the balance transferred to the South Columbus Street account. VEDO denies that Complainant was not notified of the transfer. According to VEDO, the unpaid balance was reflected on all of Complainant's bills from March 2016 to the present time, except when bills were issued while her bankruptcy filings were pending. VEDO adds that Complainant used a medical certificate to restore service on March 22, 2018, and her outstanding balance was \$3,002.09 as of the date of VEDO's answer.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} Accordingly, a settlement conference shall be scheduled for July 17, 2018, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1247, Columbus, Ohio 43215-3793. The parties should bring with them all documents relevant to this matter. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the public utility shall investigate the issues raised in the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues.

{¶ 8} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a settlement conference be scheduled for July 17, 2018, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1247, Columbus, Ohio 43215-3793. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 18-0878-GA-CSS

Summary: Attorney Examiner Entry scheduling settlement conference for 07/17/2018 in accordance with Paragraph 6 - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio