

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
DENISE GIPSON,**

COMPLAINANT,

V.

CASE No. 17-2541-GA-CSS

COLUMBIA GAS OF OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on August 8, 2018

I. SUMMARY

{¶ 1} The Commission grants the motion to dismiss the complaint because of complainant's failure to prosecute the matter.

II. DISCUSSION

{¶ 2} 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.

{¶ 3} Columbia Gas of Ohio, Inc. (Columbia) 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.

{¶ 4} On December 22, 2017, Denise Gipson (Complainant or Ms. Gipson) filed a complaint against Columbia concerning her payment plan. Complainant states that she has paid a monthly sum that includes gas charges and arrears. Complainant alleges that,

upon examining Columbia's summary of her February 2017 to July 2017 payments, she determined that she has overpaid by \$160.00.

{¶ 5} Columbia filed its answer on January 10, 2018. Columbia admits that it placed Complainant on a payment plan and that Ms. Gipson made payments. Columbia denies that Ms. Gipson overpaid any amount.

{¶ 6} In a January 26, 2018 Entry, the attorney examiner scheduled a settlement conference for February 6, 2018. Prior to the conference, Ms. Gipson requested a continuance in order to obtain more information prior to mediation. Accordingly, the attorney examiner issued a February 5, 2018 Entry, scheduling the settlement conference for March 20, 2018.

{¶ 7} Ms. Gipson contacted the attorney examiner shortly before March 20, 2018, stating that she would not be present for the conference.

{¶ 8} In a May 21, 2018 Entry, the attorney examiner scheduled a June 1, 2018 settlement conference. Ms. Gipson was not present for the conference.

{¶ 9} Columbia filed a motion to dismiss on June 21, 2018. Columbia contends that Ms. Gipson has failed to appear for multiple settlement conferences and asserts that she has not attempted to settle or prosecute her complaint. Columbia requests dismissal of the complaint.

{¶ 10} Ohio Adm.Code 4901-1-12(B)(1) provides that a party may respond to a motion within 15 days after service of the motion. Ms. Gipson did not respond to Columbia's motion to dismiss.

{¶ 11} Given that Ms. Gipson did not participate in any settlement conferences or respond to Columbia's motion to dismiss, the Commission finds that this case should be dismissed, without prejudice, for failure to prosecute the matter.

III. ORDER

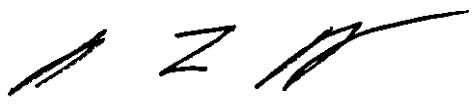
{¶ 12} It is, therefore,

{¶ 13} ORDERED, That Columbia's motion to dismiss the complaint be granted.
It is, further,

{¶ 14} ORDERED, That this case be dismissed, without prejudice, and closed of record. It is, further,

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

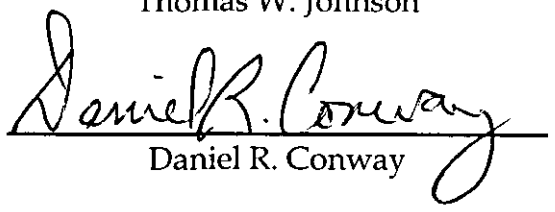
THE PUBLIC UTILITIES COMMISSION OF OHIO



Asim Z. Haque, Chairman

M. Beth Trombeld

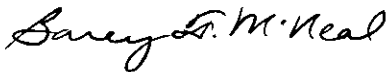
Thomas W. Johnson

Lawrence K. Friedeman

Daniel R. Conway

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Entered in the Journal

AUG 08 2018

Barcy F. McNealBarcy F. McNeal
Secretary