

CHRISTIN SUMMERS &)	
LARRY MOORE)	
560 E. Kessler Cowlesville Rd.)	Case No. 18-1561-EL-CSS
Tipp City, Ohio 45371)	
)	
Complainant,)	
v.)	
)	
The Dayton Power and Light Company)	
1065 Woodman Drive)	
Dayton, Ohio 45432)	
)	
Respondent.)	

Now comes the Dayton Power and Light Company (“DP&L” or “Respondent” or “the Company”), by and through counsel, and for its answer to the Complaint filed in this docket by Christine Summers & Larry Moore (collectively referred to as “Complainant”), hereby states as follows:

1. On or about October 17, 2018, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by Complainant related to a night light charged to the account associated with the address at 560 East Kessler Cowlesville Road, Tipp City, Ohio 45371.
2. DP&L admits that a night light was installed at 560 E. Kessler-Cowl Rd. on July 30, 1991.
3. DP&L admits that the Company had multiple discussions about a night light at 560 E. Kessler-Cowl Rd. with an individual claiming to be Christine Summers.

4. The Respondent, DP&L, denies or is without sufficient knowledge to ascertain the veracity of the remaining allegations as described in the Complaint and therefore denies the same. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs.

FIRST AFFIRMATIVE DEFENSE

5. The Complainant fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

SECOND AFFIRMATIVE DEFENSE

6. The Complainant fails to state a claim upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

7. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FOURTH AFFIRMATIVE DEFENSE

8. Complainant's claims are time-barred.

FIFTH AFFIRMATIVE DEFENSE

9. DP&L reserves the right to raise any additional affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent respectfully requests that the Commission dismiss DP&L from this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with the Complainant to determine whether a mutually acceptable resolution is possible.

Respectfully submitted,

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

*Counsel of Record

The Dayton Power and Light Company

1065 Woodman Drive

Dayton, OH 45432

Telephone: (937) 259-7358

Facsimile: (937) 259-7178

Email: michael.schuler@aes.com

Attorney for The Dayton Power and Light
Company

(willing to accept electronic service)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via ordinary mail,
postage prepaid, this 6th day of November, 2018 to the following:

Christine Summers
560 East Kessler Cowlesville Rd.
Tipp City, Ohio 45371

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

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in

Case No(s). 18-1561-EL-CSS

Summary: Answer of the Dayton Power and Light Company electronically filed by Mr. Tyler A. Teuscher on behalf of The Dayton Power and Light Company