

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
CHRISTOPHER CRANE BERGERET,**

COMPLAINANT,

v.

CASE NO. 19-388-GA-CSS

COLUMBIA GAS OF OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on April 2, 2019

{¶ 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} Columbia Gas of Ohio, Inc. (Columbia Gas or Respondent) 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 February 7, 2019, Christopher Crane Bergeret (Complainant) filed a complaint against Columbia Gas, alleging that his gas was shut off without notice. Beyond that statement, the complaint consists of what purports to be a copy of a bill issued to Complainant by Columbia Gas and a copy of a bill issued by another utility company, as well as letters and materials from governmental authorities advising Complainant how he might choose to proceed in pursuing actions to enforce his rights.

{¶ 4} Columbia Gas filed its answer on February 25, 2019. In its answer, Respondent claims to be without sufficient knowledge to either admit or deny the

allegations of the complaint, denies any statement that it does not expressly admit, and sets forth several affirmative defenses.

{¶ 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} The settlement conference shall be scheduled for April 15, 2019, at 1:30 p.m. at the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793. All parties should register at the lobby desk and then proceed to the 11th floor in order to participate in the settlement conference. The parties should bring 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 April 15, 2019, at 1:30 p.m. at the Commission offices, 180 East Broad Street, 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/Daniel Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 19-0388-GA-CSS

Summary: Attorney Examiner Entry scheduling settlement conference for 04/15/2019 at 1:30 p.m. in accordance with Paragraph 6 - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio