

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
ISHTON MORTON,**

COMPLAINANT,

v.

CASE NO. 19-159-EL-CSS

DUKE ENERGY OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on April 29, 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} Duke Energy Ohio, Inc. (Duke or Respondent), is a public utility as defined in R.C. 4905.02. As such, Duke is subject to the Commission's jurisdiction.

{¶ 3} On January 22, 2019, Ishton Morton (Complainant) filed a complaint against Duke alleging that Duke has violated several statutes and Commission rules and that Duke has engaged in unfair billing practices and procedures.

{¶ 4} On February 5, 2019, Duke filed its answer to the complaint, denying many of the allegations contained therein. Additionally, Duke raised several affirmative defenses, including, but not limited to, the following: Complainant does not assert any allegations of fact that would give rise to a cognizable claim against the Company; Complainant fails to set forth reasonable grounds for complaint; Complainant has not stated any request for relief that can be granted by this Commission; and the Commission lacks subject matter jurisdiction to grant the requested relief.

{¶ 5} By Entry dated February 7, 2019, the attorney examiner scheduled a settlement conference in Columbus, Ohio, for March 25, 2019.

{¶ 6} A settlement conference was held on March 25, 2019. However, the Complainant did not attend the settlement conference.

{¶ 7} As of the date of this signing, Complainant has not filed any notification indicating his wishes to pursue this matter or otherwise attempted to contact the attorney examiner to express a desire to continue.

{¶ 8} Accordingly, if Complainant wishes to pursue his complaint, he should notify the attorney examiner of such by May 19, 2019. If no such notification is made, the attorney examiner may recommend that the Commission dismiss the complaint.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the Complainant notify the attorney examiner as to whether he wishes to pursue his complaint by May 19, 2019. 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/Stacie Cathcart

By: Stacie E. Cathcart
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/29/2019 2:24:19 PM

in

Case No(s). 19-0159-EL-CSS

Summary: Attorney Examiner Entry ordering Complainant to notify the attorney examiner as to whether he wishes to pursue his complaint by 05/19/2019 - electronically filed by Sandra Coffey on behalf of Stacie Cathcart, Attorney Examiner, Public Utilities Commission of Ohio