

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 May 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} 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} By Entry issued April 2, 2019, a prehearing settlement conference in this matter was scheduled to occur at the Commission's offices on April 15, 2019, at 1:30 p.m. At 12:15 p.m. on April 15, 2019, Complainant called the attorney examiner, informing him that he had a conflict and would be unable to attend the conference. He requested that it be rescheduled. The attorney examiner was able to reach Respondent and the mediating attorney examiner in time to prevent either from making an unnecessary trip and the settlement conference scheduled for that day was not convened.

{¶ 6} Since then, the attorney examiner has contacted both parties several times seeking to learn when both parties will be available for a rescheduled settlement conference. Respondent has provided several proposed dates. The attorney examiner has at least twice left phone messages with Complainant, but, to date, he has neither confirmed his availability on any of the dates and times proposed by Respondent, nor proposed any other alternative dates or times.

{¶ 7} Complainant is directed to file, by June 6, 2019, at least three proposed dates (and corresponding proposed times) occurring before July 31, 2019, on which he would be available to attend and participate in a settlement conference at the Commission's offices. If Complainant is unable to propose any workable date during that time frame, he must so state, provide the reason, and instead file, by June 6, 2019, an indication that some alternative date and time for the settlement conference has been agreed upon by both parties and name the specific date and time agreed upon. Any failure by Complainant to comply with these directives may result in a recommendation by the attorney examiner that the Commission should dismiss this case for lack of sufficient prosecution by Complainant.

{¶ 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 the above stated procedural directives be observed. 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

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

Summary: Attorney Examiner Entry setting procedural directives - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio