THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF THAAH AND AARON YOUNG,

COMPLAINANTS,

V.

CASE NO. 18-1832-EL-CSS

OHIO POWER COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on July 8, 2019

{¶ 1} Ohio Power Company (AEP Ohio or the Company) is a public utility, pursuant to R.C. 4905.02, and is, therefore, subject to the jurisdiction of this Commission.

{¶ 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} On December 13, 2018, Thaah and Aaron Young (Complainants) filed a complaint against AEP Ohio alleging that AEP Ohio has violated several statutes and Commission rules pertaining to advanced meter opt out service.

{¶ 4} On January 2, 2019, AEP Ohio filed its answer to the complaint, denying many of the allegations contained therein. Additionally, AEP Ohio raised several affirmative defenses, including, but not limited to, the following: Complainants fail to set forth reasonable grounds for complaint; AEP Ohio has, at all times relevant to Complainants' claims, provided reasonable and adequate service in accordance with all applicable rules, regulations, and orders of the Commission, and its tariffs; and the Commission lacks subject matter jurisdiction to grant the requested relief.

{¶ 5} A prehearing settlement conference was held on February 26, 2019; however, the parties were unable to settle the matter.

{¶ 6} On May 6, 2019, the attorney examiner set the matter for hearing commencing on June 25, 2019.

{¶ 7} On May 16, 2019, Complainants requested, by phone call, a continuance of the hearing until July 23, 2019, due to scheduling conflicts. AEP Ohio had no objection to the continuance.

{¶ 8} On May 16, 2019, the attorney examiner continued the evidentiary hearing until July 23, 2019, due to scheduling conflicts.

{¶ 9} On July 2, 2019, Complainants again requested, by phone call, a continuance of the hearing, due to scheduling conflicts. AEP Ohio has no objection to the continuance.

{¶ 10} Therefore, the attorney examiner finds that the evidentiary hearing should be rescheduled. Accordingly, an evidentiary hearing shall commence on September 11, 2019, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-C, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215. Further, testimony shall be filed by August 27, 2019, in order to allow sufficient time for review and depositions prior to the hearing.

{¶ 11} 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).

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That a hearing be rescheduled, in accordance with Paragraph 10. It is, further,

{¶ 14} 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

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in

Case No(s). 18-1832-EL-CSS

Summary: Attorney Examiner Entry rescheduling hearing to 9/11/2019 at 10:00 a.m. and directing testimony to be filed by 8/27/2019 in order to allow sufficient time for review and depositions prior to the hearing - electronically filed by Sandra Coffey on behalf of Stacie Cathcart, Attorney Examiner, Public Utilities Commission of Ohio