

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
NEIL MCGREW,**

COMPLAINANT,

CASE NO. 19-1339-EL-CSS

v.

OHIO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on August 21, 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} Ohio Edison Company (Ohio Edison or Respondent) is a public utility as defined in R.C. 4905.02. As such, Ohio Edison is subject to the Commission's jurisdiction.

{¶ 3} On June 18, 2019, Neil McGrew (Complainant) filed a complaint against Ohio Edison alleging, essentially, unjust and unreasonable billing practices.

{¶ 4} On July 8, 2019, Ohio Edison filed an answer in which it generally denies any wrongdoing. Respondent's answer also asserts 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 of the complaint. As stated in Ohio Adm.Code 4901-1-26, any statement made in an attempt to settle this matter without the need for an evidentiary hearing is generally inadmissible 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 either party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} Accordingly, a settlement conference shall be scheduled for September 26, 2019, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. All parties should register at the lobby desk and then proceed to the 11th floor in order to participate in the settlement conference.

{¶ 7} If it becomes apparent that settlement is unlikely to be reached at the conference, the parties should be prepared to discuss any procedural issues including discovery deadlines, possible stipulations of fact, and potential hearing dates. 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. All parties participating in the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues.

{¶ 8} As is the case in all Commission complaint proceedings, complainant has the burden of proving the allegations of the complaint. *Grossman v. Public. Util. Comm.*, 5 Ohio St. 2d 189, 214 N.E. 2d 666 (1966).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a settlement conference be held on September 26, 2019, at 10:00 a.m., as stated in Paragraph 6. 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/Patricia A. Schabo

By: Patricia A. Schabo
Attorney Examiner

JRJ/hac

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Commission of Ohio Docketing Information System on

8/21/2019 3:29:07 PM

in

Case No(s). 19-1339-EL-CSS

Summary: Attorney Examiner Entry scheduling settlement conference electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission