

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
MISTY KOZLOWSKI,**

COMPLAINANT,

v.

CASE NO. 19-1071-GE-CSS

**NORTH AMERICAN POWER AND GAS,
LLC,**

RESPONDENT.

ENTRY

Entered in the Journal on September 26, 2019

I. SUMMARY

{¶ 1} The Commission grants the joint motion to dismiss the complaint with prejudice, as the parties indicate that all issues in the matter have been resolved.

II. DISCUSSION

{¶ 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. Pursuant to R.C. 4928.16 and 4929.24, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by an electric services company and retail natural gas supplier subject to certification under R.C. 4928.08 and 4929.20 of any service for which it is subject to certification.

{¶ 3} North American Power and Gas, LLC (NAPG) is an electric services company as defined in R.C. 4928.01 and a retail natural gas supplier as defined in R.C. 4929.01, and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On May 8, 2019, Misty Kozlowski (Complainant) filed a complaint against NAPG, alleging that she had cancelled electric and gas service and received letters confirming the cancellation, yet she continued to be charged for electric and gas service throughout 2018.

{¶ 5} NAPG filed a response on June 3, 2019, stating that, on September 11, 2017, Complainant signed for a three-month introductory variable rate for electric service and a 12-month fixed rate for gas service. NAPG enclosed a copy of an August 10, 2018 letter to Complainant indicating that her 12-month gas contract would expire on September 26, 2018, and would automatically renew on a monthly variable rate if Complainant did not take action. NAPG notes that Complainant did not request cancellation of her gas account until November 20, 2018. In addition, NAPG explains that, although Complainant requested cancellation of her electric account through her utility in March 2018, the utility neglected to do so; the electric account continued until Complainant contacted NAPG in November 2018 regarding cancellation, at which time NAPG terminated Complainant's electric account.

{¶ 6} On July 19, 2019, the parties filed a joint motion to dismiss the complaint with prejudice. In the joint motion, the parties state that all issues raised in the complaint have been resolved. The parties further request that, because nothing more remains to be done, the case be dismissed with prejudice.

{¶ 7} The Commission finds that the parties' joint motion to dismiss the complaint with prejudice is reasonable and should be granted.

III. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the parties' joint motion to dismiss the complaint with prejudice be granted. It is, further,

{¶ 10} ORDERED, That this case be dismissed and closed of record. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

JML/mef

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9/26/2019 3:21:01 PM

in

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