

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
ERIC EDMISTEN,**

**COMPLAINANT,**

**v.**

**CASE NO. 19-1143-EL-CSS**

**OHIO EDISON COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on November 4, 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} Respondent, Ohio Edison Company (Ohio Edison or Respondent), is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On May 20, 2019, Eric Edmisten (Mr. Edmisten or Complainant) filed a complaint against Ohio Edison alleging that Respondent is engaging in unfair billing practices. Specifically, Mr. Edmisten avers that he was experiencing problems with lights dimming in his home when high loads, such as the clothes dryer, were energized. Subsequently, Respondent dispatched a technician who replaced Mr. Edmisten's meter. Mr. Edmisten states that he received a bill for abnormally high usage after his new meter was installed and believes the technician who "memorized the meter reading" made an error. Mr. Edmisten claims that his usage in March 2019 was listed at 2,414 kilowatt-hours (kWh), which is almost triple his usage from the previous March. Mr. Edmisten is requesting an adjustment to his electric bill to accurately reflect his electric usage.

{¶ 4} Ohio Edison filed an answer to the complaint on June 10, 2019. Ohio Edison admits and denies some allegations. Specifically, Ohio Edison admits that it provides electric service to Complainant, and further avers that, on March 12, 2019, Complainant contacted Respondent and complained of intermittent power and that an Ohio Edison employee was dispatched that day to investigate. Ohio Edison admits that Complainant's meter was replaced, and that the employee who replaced Complainant's meter notified him of the meter reading before leaving the property. Further, Ohio Edison admits that Complainant's prior two billing statements reflected estimated consumption and that the April statement reflecting 2,414 kWh of usage, reflects accurate charges. Additionally, Ohio Edison raises several affirmative defenses.

{¶ 5} By Entry issued June 25, 2019, the attorney examiner scheduled a prehearing conference to convene on July 25, 2019. On July 24, 2019, Complainant filed a request to reschedule the prehearing conference due to a scheduling conflict.

{¶ 6} On August 1, 2019, the attorney examiner granted Complainant's first request to reschedule the prehearing conference and rescheduled the prehearing conference to commence on August 20, 2019.

{¶ 7} On August 9, 2019, Complainant filed a request to convert the settlement conference to a telephonic conference. Ohio Edison filed a memorandum contra Complainant's request on August 12, 2019.

{¶ 8} On August 19, 2019, the attorney examiner denied Complainant's request and rescheduled the prehearing conference to September 23, 2019 – a date agreed upon by both parties.

{¶ 9} On September 23, 2019, counsel for Ohio Edison and the mediating attorney examiner were both present for the settlement conference at the specified time and place; however, Complainant did not attend or otherwise participate in the settlement conference.

{¶ 10} On October 2, 2019, Ohio Edison filed a motion to dismiss the complaint with prejudice due to Complainant's alleged failure to prosecute the complaint.

{¶ 11} As of the date of this Entry, 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.

{¶ 12} Accordingly, if Complainant wishes to pursue his complaint, he should notify the attorney examiner of such by November 25, 2019. If no such notification is made, the attorney examiner may recommend that the Commission dismiss the complaint.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the Complainant notify the attorney examiner as to whether he wishes to pursue his complaint by November 25, 2019. It is, further,

{¶ 15} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Lauren L. Augostini

By: Lauren L. Augostini  
Attorney Examiner

JRJ/hac

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 19-1143-EL-CSS**

Summary: Attorney Examiner Entry ordering Complainant to notify attorney examiner as to whether he wishes to pursue complaint electronically filed by Heather A Chilcote on behalf of Lauren L. Augostini, Attorney Examiner, Public Utilities Commission of Ohio