

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

HEATHER LEWIS)	
426 Wesley St.)	
Dayton, Ohio 45403)	Case No. 19-1983-EL-CSS
)	
Complainant,)	
v.)	
)	
The Dayton Power and Light Company)	
1065 Woodman Drive)	
Dayton, Ohio 45432)	
)	
Respondent.)	

**ANSWER, MOTION TO DISMISS, AND REQUEST FOR MEDIATION OF THE
DAYTON POWER AND LIGHT COMPANY**

Now comes the Dayton Power and Light Company (“DP&L” or “Respondent” or “the Company”), by and through counsel, and for its answer to the Complaint allegedly filed in this docket by Heather Lewis (referred to as “Complainant”), hereby states as follows:

1. On or about October 28, 2019, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by Complainant related to establishing electric services for the property located at 426 Wesley St., Dayton, Ohio 45403.

2. DP&L admits that in February 2018 the Company issued a bill in the amount of \$536.06 to Heather E Lewis for services located 43 North Garland Ave., Dayton, Ohio 45403 associated with account number 5200525207.

3. The Respondent, DP&L, denies or is without sufficient knowledge to ascertain the veracity of the allegations as described in the Complaint and therefore

denies the same. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs.

FIRST AFFIRMATIVE DEFENSE

4. The Complainant fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

SECOND AFFIRMATIVE DEFENSE

5. The Complainant fails to state a claim upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

6. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FOURTH AFFIRMATIVE DEFENSE

7. Complainant's claims are time-barred.

FIFTH AFFIRMATIVE DEFENSE

8. Complainant lacks standing to bring this action.

SIXTH AFFIRMATIVE DEFENSE

9. DP&L reserves the right to raise any additional affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent respectfully requests that the Commission dismiss DP&L from this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with the Complainant to determine whether a mutually acceptable resolution is possible.

Respectfully submitted,

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

*Counsel of Record

The Dayton Power and Light Company

1065 Woodman Drive

Dayton, OH 45432

Telephone: (937) 259-7358

Facsimile: (937) 259-7178

Email: michael.schuler@aes.com

Attorney for The Dayton Power and Light
Company

(willing to accept electronic service)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via ordinary mail,
postage prepaid, this 18th day of November, 2019 to the following:

Heather Lewis
426 Wesley St.
Dayton, Ohio 45403

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

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in

Case No(s). 19-1983-EL-CSS

Summary: Answer , Motion to Dismiss, and Request for Mediation electronically filed by Mr. Michael J Schuler on behalf of The Dayton Power and Light Company