

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
FRANCES M. STEVENSON,**

COMPLAINANT,

v.

CASE NO. 20-590-GA-CSS

**VECTREN ENERGY DELIVERY OF OHIO,
INC.,**

RESPONDENT.

ENTRY

Entered in the Journal on April 29, 2020

{¶ 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} Vectren Energy Delivery of Ohio, Inc. (VEDO or Company) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On March 12, 2020, Frances M. Stevenson (Ms. Stevenson or Complainant) filed a complaint against VEDO. The complaint alleges, among other things, that when Complainant ended service with VEDO, the Company miscalculated the amount of the credit balance that had accumulated on her utility service account and, as a result, refunded her an amount less than that to which she believes she is entitled.

{¶ 4} On April 1, 2020, VEDO filed its answer to the complaint. In its answer, VEDO admits some and denies other of the complaint's allegations, and sets forth several affirmative defenses. VEDO explains that Complainant is a former Percentage of Income Payment Plan Plus (PIPP) recipient who, at various times during her customer relationship with VEDO, received PIPP program incentive credits, and, at other times, maintained a

credit balance on her utility account with the Company. The Company points out that, under Ohio Adm.Code 4901:1-18-14(B), PIPP customers are not entitled to accumulate PIPP program incentive credits during periods when their utility account reflects a credit balance. VEDO avers that, pursuant to the cited rule provision, the Company did not apply PIPP incentive credits to Ms. Stevenson's account from May 21, 2015, through May 29, 2019, because throughout that period, her utility account reflected a credit balance. In VEDO's view, resolution of the dispute in this matter concerning the amount of Complainant's refund should turn upon whether justification exists for Complainant's position that she either did, or should have, accumulated PIPP program incentive credits during this four-year period when her VEDO utility account reflected a credit balance.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference to be conducted by telephone. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible 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 any party from initiating settlement negotiations prior to the scheduled settlement teleconference.

{¶ 6} Accordingly, a telephone settlement conference shall be scheduled for May 14, 2020, at 4:00 p.m., Eastern Daylight Savings Time. To participate in the teleconference, the parties shall dial (866) 209-2820 and, when prompted, enter conference code 807-496-9840#.

{¶ 7} 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 teleconference, and all parties participating in the teleconference shall be prepared to discuss settlement of the issues raised and shall have authority to settle those issues.

{¶ 8} 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).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a settlement teleconference be scheduled for May 14, 2020, at 4:00 p.m., Eastern Daylight Savings Time, as indicated 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/Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

NJW/kck

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Case No(s). 20-0590-GA-CSS

Summary: Attorney Examiner Entry a telephone settlement conference shall be scheduled for May 14, 2020, at 4:00 p.m., Eastern Daylight Savings Time. To participate in the teleconference, the parties shall dial (866) 209-2820 and, when prompted, enter conference code 807-496-9840#. electronically filed by Kelli C King on behalf of Daniel E. Fullin, attorney examiner, Public Utilities Commission of Ohio