

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

RUSSELLA AND DAVID STEEHLER,	)	
	)	
Complainants,	)	
	)	
v.	)	Case No. 20-0779-GA-CSS
	)	
VECTREN ENERGY DELIVERY OF	)	
OHIO, INC.,	)	
	)	
Respondent.	)	

**ANSWER**

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, Vectren Energy Delivery of Ohio, Inc. (VEDO or the Company), a CenterPoint Energy Company, for its answer to the complaint of Russella and David Steehler (Complainants), states:

**FIRST DEFENSE**

1. VEDO admits that Mrs. Steehler is a residential customer currently receiving natural gas service from VEDO in Jefferson Township in Fayette County at 13038 State Route 729 N.W., Jeffersonville, Ohio 43128 (the Premises) and the primary account holder for the account ending in 8189 (the Account). VEDO also avers that Mr. Steehler is neither a co-applicant nor an authorized user for the Account, but upon information and belief, also resides at the Premises.

2. VEDO avers that on or around October 1, 2019, KS Energy Services, LLC (KS Energy), an independent contractor used by VEDO, installed an eight inch polyethylene (PE) gas main line along State Route 729 and adjacent to the Premises on the same side of the road as the Premises (the Gas Main).

3. VEDO avers that on January 23, 2020, KS Energy responded to a complaint by Mr. Steehler concerning the effect of the Gas Main on the water flow in a lateral sewer that services the Village of Jeffersonville that was adjacent to the Premises, and on water drainage in front of the Premises.

4. VEDO avers that on that same date, January 23, 2020, at the request of Mr. Steehler, KS Energy excavated several areas around the Gas Main and around a septic tank on the Premises to assess the effect, if any, of the Gas Main on clay drainage tiles (the Tile). VEDO also avers that Mr. Steehler and several village officials were present during the excavation.

5. VEDO avers that based on the excavation, KS Energy found that the installation of the Gas Main did not damage any Tile. VEDO also avers that village officials present during the excavation agreed with KS Energy's assessment.

6. VEDO avers that on January 24, 2020, KS Energy returned to the Premises and used a push rod to ascertain the location of the Tile in relation to the Gas Main from the excavated areas to the property lines of the Premises. VEDO also avers that the push rod inspection did not indicate any damage to the Tile from the installation of the Gas Main.

7. VEDO avers that on that same date, January 24, 2020, the Complainants requested that KS Energy not backfill the excavated areas.

8. VEDO avers that, upon information and belief, any damage to the Tile occurred prior to the installation of the Gas Main.

9. VEDO avers that, upon information and belief, issues with water drainage and water pooling existed on the Premises prior to the installation of the Gas Main.

10. VEDO avers that, upon information and belief, the Complainants' septic tank on the Premises contributes to the water drainage and water pooling issues on the Premises.

11. VEDO avers that on February 24, 2020, it was notified of an informal PUCO complaint regarding alleged damage to the Premises.

12. VEDO is without sufficient knowledge or information to admit or deny that the Tile is the property of Complainant.

13. VEDO is without sufficient knowledge or information to admit or deny the remaining allegations in the complaint, and generally denies any allegations not specifically admitted or denied in this Answer in accordance with Ohio Adm. Code 4901-9-01(D).

### **AFFIRMATIVE DEFENSES**

#### **SECOND DEFENSE**

14. The complaint does not comply with the Commission's rules requiring "a statement which clearly explains the facts." Ohio Adm. Code 4901-9-01(B). Many of the allegations are not in numbered-paragraph, but narrative, form; many of the allegations and statements in the complaint are compound; and many of the allegations omit numerous details necessary to answer them. The Company, has attempted, to the best of its ability, to answer the allegations, but reserves the right to amend its answer in the event it has incorrectly understood the allegations.

#### **THIRD DEFENSE**

15. The complaint fails to set forth reasonable grounds for complaint, as required by R.C. 4905.26.

#### **FOURTH DEFENSE**

16. The complaint does not set forth a claim for which relief may be granted.

**FIFTH DEFENSE**

17. VEDO at all times complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and the Company's tariffs. These statutes, rules, regulations, orders and tariff provisions bar Mr. and Mrs. Steehler's claims.

**SIXTH DEFENSE**

18. VEDO avers that the complaint is barred by waiver and estoppel.

**SEVENTH DEFENSE**

19. VEDO reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, VEDO respectfully requests an Order dismissing the complaint and granting it all other necessary and proper relief.

Dated: May 4, 2020

Respectfully submitted,

/s/ Christopher T. Kennedy  
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(All counsel are willing to accept service by email)

ATTORNEYS FOR VECTREN ENERGY  
DELIVERY OF OHIO, INC., A CENTERPOINT  
COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was served by mail to the following persons this 4th day of May, 2020:

Rusella and David Steehler  
13038 State Route 729 NW  
Jeffersonville, Ohio 43128

/s/ Lucas A. Fykes  
One of the Attorneys for Vectren Energy  
Delivery of Ohio, Inc., a CenterPoint  
Company

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Summary: Answer Answer electronically filed by Mr. Christopher T Kennedy on behalf of Vectren Energy Delivery of Ohio, Inc.