

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Complaint
of Craig Bebinger**

Complainant,

v.

AEP Energy, Inc.,

Respondent.

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Case No. 20-1354-GA-CSS

**ANSWER AND MOTION TO DISMISS
OF RESPONDENT AEP ENERGY, INC.**

Pursuant to Rule 4901-9-01, Ohio Admin. Code, now comes Respondent AEP Energy, Inc. (“AEP Energy”) and files its Answer and Motion to Dismiss the August 5, 2020 Complaint filed in this proceeding:

ANSWER TO ALLEGATIONS

1. AEP Energy admits that Complainant had an electric and gas account with AEP Energy at his address 368 Columbian Ave., Columbus, Ohio 43221.
2. AEP Energy is without sufficient knowledge to either admit or deny the remaining statements in the Complaint.
3. AEP Energy denies any and all allegations not specifically admitted herein.

AFFIRMATIVE DEFENSES

1. AEP Energy avers that, since the date of the Complaint, AEP Energy and the Complainant have settled the dispute that is the subject of the Complaint.
2. AEP Energy avers that Complainant has failed to state reasonable grounds for complaint under R.C. 4905.26.
3. AEP Energy avers that it has complied with all applicable Ohio statutes; the Commission's rules, regulations, and orders.
4. AEP Energy reserves the right to assert additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent AEP Energy respectfully requests that the Commission dismiss with prejudice Complainant Craig Bebinger's Complaint against it.

MOTION TO DISMISS

Pursuant to Ohio Adm. Code 4901-1-12, AEP Energy hereby moves to dismiss the Complaint as settled pursuant to Ohio Adm. Code 4901-9-01(C)(4) and 4901-9-01(F). The grounds for this motion are set forth more fully in the accompanying Memorandum in Support.

MEMORANDUM IN SUPPORT

Since the filing of the Complaint, Complainant Craig Bebinger and AEP Energy, Inc. have resolved all of the issues raised in the Complaint. As nothing further remains to be done to resolve the Complaint, and no further proceedings are necessary, the case should be dismissed as settled pursuant to Ohio Adm. Code 4901-9-01(C)(4) and 4901-9-01(F).

Pursuant to Ohio Adm. Code 4901-9-01(F), the Complainant has twenty days to file a written response to this Motion to Dismiss agreeing or disagreeing with AEP Energy's assertions. If no response is filed, the Commission may presume that satisfaction or settlement has occurred and dismiss Mr. Bebinger's Complaint.

For the reasons set forth above, Respondent AEP Energy, Inc. respectfully requests that the Commission dismiss the Complaint against it as settled.

Respectfully submitted,

/s/Marsha D. Makel

Marsha D. Makel (0080747)

Senior Regulatory Counsel

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Counsel for Respondent

AEP Energy, Inc.

(willing to accept electronic service)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Answer and Motion to Dismiss of Respondent AEP Energy, Inc.* was served by regular mail upon Complainant Craig Bebinger at the address listed below on this 24th day of August, 2020.

Craig Bebinger
368 Columbian Avenue
Columbus, OH 43221
Complainant

/s/Marsha D. Makel
Marsha D. Makel (0080747)

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 20-1354-GA-CSS

Summary: Answer Answer and Motion to Dismiss of Respondent AEP Energy, Inc.
electronically filed by Kristina L Woods on behalf of AEP Energy, Inc.