

MICHAEL W. FREELS)	
7087 Hamilton Rd.)	
Mendon, Ohio 45862)	Case No. 20-1264-EL-CSS
)	
Complainant,)	
v.)	
)	
The Dayton Power and Light Company)	
1065 Woodman Drive)	
Dayton, Ohio 45432)	
)	
Respondent.)	

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 filed in this docket by Michael Freels (“Complainant”), hereby states as follows:

1. On or about July 9, 2020, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by Complainant related to charges on Account Number 4711038152 associated with the property located at 3679 Carmel-Church Rd. #A, Celina, Ohio 45822.

2. 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

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

SECOND AFFIRMATIVE DEFENSE

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

THIRD AFFIRMATIVE DEFENSE

5. 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

6. Complainant lacks standing to bring this action.

FIFTH AFFIRMATIVE DEFENSE

7. Failure to perfect proper service of Complaint.

SIXTH AFFIRMATIVE DEFENSE

8. 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

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Dayton, OH 45432

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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 16th day of September, 2020 to the following:

Michael Freels
7087 Hamilton Rd.
Mendon, Ohio 45862

/s/ Michael J. Schuler
Michael J. Schuler (0082390)

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in

Case No(s). 20-1264-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