

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
DAVID WILLIAMS,**

CASE NO. 20-1566-EL-CSS

COMPLAINANT,

v.

OHIO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on November 20, 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} Ohio Edison Company (Ohio Edison or Respondent) is a public utility as defined in R.C. 4905.02. As such, Ohio Edison is subject to the jurisdiction of this Commission.

{¶ 3} On October 1, 2020, David Williams (Complainant or Mr. Williams) filed a complaint against Ohio Edison alleging that, for two service accounts identified in the complaint, Respondent “placed service” in Mr. Williams’ name “because of crossed meter lighting.” According to the complaint, Complainant “fixed the problem” but Ohio Edison is “refusing to come verify the work” and place service back in the name of one or more of the tenants.

{¶ 4} By Entry issued October 27, 2020, Ohio Edison was directed to file its answer or other responsive pleading by November 16, 2020.

{¶ 5} On November 16, 2020, Ohio Edison filed its answer to the complaint in which it admits some, and denies others of the complaint’s allegations, and sets forth several

affirmative defenses. Among other things, Ohio Edison specifically admits that service for both accounts was placed in Complainant's name due to shared metering. Also, Ohio Edison avers that it has informed Complainant that due to COVID-19, it is unable to go inside the premises to investigate whether the shared metering has been corrected. Ohio Edison further avers that a work order to perform this investigation is pending, and once Ohio Edison can safely confirm the shared meter has been corrected, it will place service back in the tenant's name, effective July 2, 2020, when Complainant reported the correction to the shared metering.

{¶ 6} The attorney examiner finds that this matter should be scheduled for a settlement teleconference. 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.

{¶ 7} Accordingly, a settlement teleconference shall be scheduled for December 15, 2020, at 10:00 a.m. To participate in the teleconference, the parties shall dial (614) 721-2972 and conference code 935 571 978#.

{¶ 8} 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.

{¶ 9} 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).

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That a settlement teleconference be scheduled for December 15, 2020, at 10:00 a.m., as indicated in Paragraph 7. It is, further,

{¶ 12} 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

MJA/kck

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 20-1566-EL-CSS

Summary: Attorney Examiner Entry scheduling a settlement teleconference for 12.15.20 at 10:00 a.m. electronically filed by Kelli C. King on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio