

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Mimi Santon and Daniel P. Santon)	
)	
Complainants)	Case No. 20-1742-EL-CSS
)	
v.)	
)	
Ohio Edison Company)	
)	
Respondent)	
)	

ANSWER OF OHIO EDISON COMPANY

Ohio Edison Company (“Ohio Edison” or the “Company”) is a public utility company, as defined by R.C. §4905.03(C) and is duly organized and existing under the laws of the State of Ohio. The Complaint of Mimi Santon and Daniel Santon (“Complainants”) consists of a cover page and five unnumbered pages of attachments. In addition, Complainants separately filed a supplemental filing on December 3, 2020 (“Amended Complaint”) which included a cover page and one additional page of attachments. Ohio Edison will attempt to specifically answer each allegation in the Complaint and Amended Complaint. To the extent Ohio Edison does not respond to a specific allegation, Ohio Edison denies any such allegation.

Therefore, in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, Ohio Edison, for its Answer to the Complaint and Amended Complaint, states:

FIRST DEFENSE

1. In response to the cover page of the Complaint and the cover page of the Amended Complaint, Ohio Edison admits that Mimi Santon is the customer of record for the Ohio Edison account associated with service address 4130 Canfield Road B, Canfield, Ohio 44406 but answering further, Ohio Edison denies that Daniel P. Santon is a customer of record for this

account. Responding further, Ohio Edison states that at all times the usage on the account was correctly metered and properly billed and charged as reflected on Ohio Edison's bills. Responding further Ohio Edison states that, at the request of Daniel Santon, on or about October 11, 2020, Meter No. 950864327 was removed from the premises for testing and was replaced with Meter No. S333535607. Meter No. 950864327 was tested with results of 101.05% accuracy, which is within Commission-approved tolerances. Responding further, Ohio Edison denies that the meter malfunctioned, surged, or spiked. Answering further, Ohio Edison denies all remaining allegations contained in the cover page of the Complaint and the cover page of the Amended Complaint.

2. In response to the five unnumbered pages of attachments to the Complaint and the one unnumbered page of attachments to the Amended Complaint, Ohio Edison states that the attachments speak for themselves but denies any allegations purportedly contained therein.

SECOND DEFENSE

3. The Complaint and Amended Complaint fail to set forth reasonable grounds for complaint, as required by R.C. §4905.26.

THIRD DEFENSE

4. The Complaint and Amended Complaint fail to state a claim upon which relief can be granted.

FOURTH DEFENSE

5. Complainant Daniel P. Santon is not the Ohio Edison customer of record for the account at issue in this Complaint/Amended Complaint, and thus, he lacks standing and capacity to bring this case and the Commission lacks subject matter jurisdiction over any purported claim by him.

FIFTH DEFENSE

6. At all times, Ohio Edison complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and its Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio. These statutes, rules, regulations, orders and tariff provisions bar Complainants' claims.

SIXTH DEFENSE

7. Ohio Edison denies all allegations of the Complaint and Amended Complaint that are not otherwise admitted herein.

SEVENTH DEFENSE

8. Ohio Edison reserves the right to supplement its answer with other defenses, including affirmative defenses, as discovery progresses in this matter.

WHEREFORE, Ohio Edison respectfully requests an Order dismissing the Complaint and Amended Complaint and granting Ohio Edison all other relief deemed necessary and proper.

Respectfully submitted,

/s/Christine E. Watchorn

Christine E. Watchorn (0075919)

(Counsel of Record)

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Willing to accept service by email

Attorney for Respondent

Ohio Edison Company

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the forgoing Answer of Ohio Edison Company was served upon the following by U.S. Mail on this 14th day of December 2020:

Mimi Santon and Daniel P. Santon
4130 Canfield Road B
Canfield, Ohio 44406

/s/Christine E. Watchorn

Christine E. Watchorn
Attorney for Respondent
Ohio Edison Company

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 20-1742-EL-CSS

Summary: Answer electronically filed by Ms. Christine E. Watchorn on behalf of Ohio Edison Company