

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 April 7, 2021

{¶ 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 company 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, he alleges, 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.

{¶ 6} A settlement teleconference was scheduled for, and held, on December 15, 2020.

{¶ 7} On March 5, 2021, Ohio Edison filed a motion to dismiss this case with prejudice, on grounds that it has been settled. In its motion, Ohio Edison's asserts that all issues and claims raised in the complaint have been resolved and that no further proceedings are necessary.

{¶ 8} Under Ohio Adm.Code 4901-9-01(F), a filing by a utility that asserts that a complaint has been satisfied or that the case has been settled shall include a statement or be accompanied by another document that states that, pursuant to Commission rule, the complainant has twenty days within which to file a written response agreeing or disagreeing with the utility's assertions and that, if no response is filed, the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint. Ohio Edison's March 5, 2021 motion to dismiss fails to comply with this aspect of Ohio Adm.Code 4901-9-01(F).

{¶ 9} Complainant shall have 20 days from the date of this Entry to file a written response to Ohio Edison's motion to dismiss, indicating whether Complainant agrees or disagrees with Ohio Edison's assertion that the case is settled and whether Complainant wishes to pursue his complaint. If no response is filed within 20 days of the date of this Entry, the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That Complainant shall, within twenty days of the date of this Entry, file a written response as outlined in Paragraph 9. Otherwise, the Commission may dismiss the complaint in this case. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

NJW/kck

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in

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

Summary: Attorney Examiner Entry ordering that Complainant shall, within twenty days of the date of this Entry, file a written response as outlined in Paragraph 9. Otherwise, the Commission may dismiss the complaint in this case. electronically filed by Kelli C. King on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio