

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
FRANCES M. STEVENSON,**

CASE NO. 20-590-GA-CSS

COMPLAINANT,

v.

**VECTREN ENERGY DELIVERY OF OHIO,
INC.,**

RESPONDENT.

ENTRY

Entered in the Journal on June 29, 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} Respondent, Vectren Energy Delivery of Ohio, Inc. (VEDO or Company), is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02. As such, VEDO is subject to the jurisdiction of this Commission.

{¶ 3} On March 12, 2020, Frances M. Stevenson (Ms. Stevenson or Complainant) filed a complaint against VEDO in the above-captioned case. The complaint alleges, among other things, that when Complainant ended service with VEDO, the Company miscalculated the amount of the credit balance that had accumulated on her utility service account and, as a result, refunded her an amount less than that to which she believes she is entitled.

{¶ 4} On April 1, 2020, VEDO filed its answer to the complaint. In its answer, VEDO admits some and denies others of the complaint's allegations and sets forth several affirmative defenses. VEDO explains that Complainant is a former Percentage of Income Payment Plan Plus (PIPP) recipient who, at various times during her customer relationship

with VEDO, received PIPP program incentive credits, and, at other times, maintained a credit balance on her utility account with the Company. The Company points out that, under Ohio Adm.Code 4901:1-18-14(B), PIPP customers are not entitled to accumulate PIPP program incentive credits during periods when their utility account reflects a credit balance. VEDO avers that, pursuant to the cited rule provision, the Company did not apply PIPP incentive credits to Ms. Stevenson's account from May 21, 2015, through May 29, 2019, because throughout that period, her utility account reflected a credit balance.

{¶ 5} Prehearing settlement teleconferences were scheduled for and held in this case on July 14, 2020, and August 11, 2020. However, the parties were unable to resolve through the mediation process the dispute giving rise to this complaint.

{¶ 6} R.C. 4905.26 requires that the Commission set for hearing a complaint against a public utility whenever reasonable grounds appear that any rate charged or demanded is in any respect unjust, unreasonable, or in violation of law, or that any practice affecting or relating to any service furnished is unjust or unreasonable.

{¶ 7} As it appears that a genuine billing dispute exists between the parties, the attorney examiner finds that reasonable grounds for complaint have been presented. Accordingly, this case should be scheduled for hearing on August 3, 2021, at 10:00 a.m. at the offices of the Commission, Hearing Room 11-D, 180 East Broad Street, Columbus Ohio 43215-3793. All parties should register at the lobby desk and then proceed to the 11th floor in order to participate in the hearing.

{¶ 8} Any party intending to present direct expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing.

{¶ 9} In complaint proceedings before the Commission, 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). Therefore, at the hearing, it shall be Complainant's responsibility to appear and present evidence in support of the complaint.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That a hearing be scheduled for August 3, 2021, at 10:00 a.m. at the Commission's offices, Hearing Room 11-D, 180 East Broad Street, Columbus, Ohio 43215-3793. 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

GAP/kck

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Case No(s). 20-0590-GA-CSS

Summary: Attorney Examiner Entry scheduling a hearing for 8.3.21 at 10:00 a.m. at the Commission's offices, Hearing Room 11-D, 180 East Broad Street, Columbus, Ohio 43215-3793. electronically filed by Kelli C. King on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio