

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
DARLENE BRIGHT AND TONY TODD,**

COMPLAINANTS,

v.

CASE NO. 19-2023-GA-CSS

COLUMBIA GAS OF OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on September 15, 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} Columbia Gas of Ohio, Inc. (Columbia) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On November 8, 2019, Darlene Bright and Tony Todd (Complainants) filed a complaint against Columbia, alleging that replacement of a gas line also involved digging up an “aggregate with double color sidewalk” on their property. Complainants expected the sidewalk to be replaced with the same material, but assert that Columbia did not do so, despite its purported policy “to replace sidewalks with as good or better than what they tear out.” Complainants add that the sidewalk was very expensive and “several times the cost of a standard sidewalk.” Complainants contend that they had agreed to replacement with gray cement only because, initially, they were told of no other alternatives; later, however, they were told that they might have received the preferred replacement if they had persisted.

{¶ 4} Columbia filed its answer on November 26, 2019. Columbia states that its knowledge is insufficient to form a belief as to the truth of Complainants' statements. Columbia further contends that Complainants did not state reasonable grounds for complaint, and that it has complied with applicable Ohio statutes, Commission rules, and its tariff.

{¶ 5} The parties participated in a settlement conference on January 16, 2020, and continued negotiating in subsequent months, but were unable to resolve the matter. Because of the ongoing COVID-19 pandemic, scheduling of a hearing was postponed until a date that could be determined with certainty.

{¶ 6} By Entry issued August 20, 2021, a hearing was scheduled for September 20, 2021, with expert testimony to be filed by September 13, 2021.

{¶ 7} On September 13, 2021, Columbia filed a motion for continuance and memorandum in support. Columbia states that the parties have engaged again in settlement discussions and that more time is needed to finalize the negotiations.

{¶ 8} The attorney examiner finds the motion for continuance to be reasonable, and, accordingly, it should be granted. The hearing in this matter, if necessary, will be rescheduled by future entry.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the motion for continuance be granted. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

By: James M. Lynn
Attorney Examiner

NJW/hac

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Case No(s). 19-2023-GA-CSS

Summary: Attorney Examiner Entry ordering that the motion for continuance be granted electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission