

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
ALESCI'S IMPORTED FOODS,**

COMPLAINANT,

CASE NO. 20-1349-EL-CSS

v.

HUDSON ENERGY SERVICES LLC,

RESPONDENT.

ENTRY

Entered in the Journal on December 1, 2021

I. SUMMARY

{¶ 1} The Commission dismisses this case, with prejudice, as the parties have indicated they reached a mutual settlement in this matter.

II. DISCUSSION

{¶ 2} 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.

{¶ 3} Hudson Energy Services LLC, dba Hudson Energy (Hudson or Respondent) is an electric services company as defined in R.C. 4928.01 and is certified to provide competitive retail electric service under R.C. 4928.08. Accordingly, Hudson is subject to the Commission's jurisdiction.

{¶ 4} On August 4, 2020, Alesci's Imported Foods (Complainant) initiated a complaint related to fines charged by Hudson.

{¶ 5} Pursuant to Ohio Adm.Code 4901-9-01(B), a copy of the complaint was mailed to Hudson on August 5, 2020, directing Hudson to file its answer and any other responsive pleadings.

{¶ 6} By Entry filed September 22, 2020, the Commission ordered Respondent to file its answer within 20 days of September 22, 2020.

{¶ 7} On October 9, 2020, Hudson filed a motion for a one-week extension of time to respond to the complaint, along with a memorandum in support of the motion.

{¶ 8} By Entry filed October 14, 2020, the Commission granted Respondent's motion for a one-week extension of time to respond to the complaint.

{¶ 9} On October 15, 2020, Hudson filed its answer, in which it generally denied the allegations in the complaint and reserved the right to amend its answer to assert affirmative defenses as becomes necessary.

{¶ 10} On October 21, 2020, the attorney examiner scheduled a settlement conference to be held telephonically on November 20, 2020, at 10:00 a.m. The settlement conference occurred as scheduled.

{¶ 11} On December 4, 2020, Hudson filed a motion to dismiss the case, along with its memorandum in support, noting that the issues raised in the complaint had been resolved.

{¶ 12} On March 8, 2021, the attorney examiner filed an Entry providing an additional 20 days for the Complainant to file a response to Hudson's motion to dismiss the case.

{¶ 13} On March 23, 2021, the Complainant filed a letter in which he stated that the case should be dismissed.

{¶ 14} Upon review of the motion to dismiss, the Complainant's concurring letter, and based upon the representation of all parties therein that the issues alleged in the complaint have been resolved, the Commission finds that the Respondent's motion to

dismiss is reasonable and should be granted. Accordingly, this case should be dismissed, with prejudice, and closed of record.

III. ORDER

{¶ 15} It is, therefore,

{¶ 16} ORDERED, That the parties' joint motion to dismiss be granted and this case be dismissed, with prejudice, and closed of record. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

JMD/mef

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Case No(s). 20-1349-EL-CSS

Summary: Entry dismissing this case, with prejudice, as the parties have indicated they reached a mutual settlement in this matter electronically filed by Heather A. Chilcote on behalf of Public Utilities Commission of Ohio