

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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PUCO

Farah Salim,	)	
	)	
"Complainant,"	)	
	)	Case No. 06-362-EL-CSS
v.	)	
	)	
AEP,	)	
	)	
"Respondent."	)	

**COLUMBUS SOUTHERN POWER COMPANY'S**  
**ANSWER AND MOTION TO DISMISS**

The complaint filed in this docket named AEP as the respondent. Since the Complainant is a customer of Columbus Southern Power Company (CSP), this Answer and Motion to Dismiss is being filed by CSP.

The complaint concerns CSP's December 28, 2005 bill for electric service to Complainant's residence. Complainant asserts that the usage shown on that month's bill was "caused by my water heater replacement that helped me notice that my usual load was the full load for a 370 ft.<sup>2</sup> unit." This statement does not allege any wrongdoing by CSP. In fact it suggests that the usage level that is being questioned is somehow attributable to Complainant's water heater replacement.

Complainant asserts that "my bill should always be under \$30/month." Complainant's monthly bill is dependent upon usage and there is no basis for expecting a bill that is always under a certain amount. Moreover, CSP tested the Complainant's meter for accuracy on January 11, 2006 and found the meter to be 99.90 percent accurate,

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well within the standard for accuracy in CSP's Terms and Conditions of Service approved by the Commission.<sup>1</sup>

Complainant asserts that her meter was not read every month and may have been read "as little as once/year." § 4901:1-10-05 (I) (1), Ohio Admin. Code, provides that: "The EDU shall obtain actual readings of its in-service customer meters at least once each calendar year."<sup>2</sup>

Complainant asserts that Respondent "deviated from its regulations and practice when it did not allow consumers a full 30-day grace period or bill cycle that coincides with the 30-day service interval electric meters require," and that CSP's "mid-month bill month hides wrongdoing in charging the full load and their inadequate two week grace period. A 30-day grace period is required business practice in the USA." There is no basis for arguing that Complainant is entitled to a thirty-day period to pay her bill or that such a "grace period" coincides with a thirty-day service interval electric meters allegedly require. Further, CSP's issuance of bills during different billing cycles of the month is a common practice which does not violate any statute or Commission rule.

As demonstrated above, Complainant has not presented any reasonable grounds upon which the Commission can grant relief. Therefore, the Commission should dismiss this complaint. In the event the Commission allows this case to go forward it should inform the Complainant that a pending complaint does not excuse the Complainant of the obligation to pay CSP for the service it continues to provide. Complainant has not made a payment to CSP since December 19, 2005 and currently owes CSP \$230.63. Even if

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<sup>1</sup> "Any meter found by test to be registering two percent or less than two percent either fast or slow will be considered as registering accurately." (CSP's Terms and conditions of Service, paragraph 7).

<sup>2</sup> The rule goes on to state that reasonable attempts to read the meter each month shall be made. In that regard, CSP has read Complainant's meter 11 of the 12 months she has been a customer.

the December bill of \$86.36 were in legitimate dispute, the amounts owing for the January bill (\$66.88) and February bill (\$77.39) are not in dispute and must be paid in order to avoid disconnection of service.

CSP denies any wrongful act that might be alleged in the complaint and urges the Commission to dismiss this matter with no further proceedings.

Respectfully submitted,

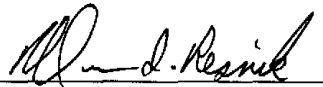


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Counsel for Columbus Southern  
Power Company

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the Columbus Southern Power Company's Answer and Motion to Dismiss was served upon the Complainant at the address shown below, via first class U.S. Mail, postage prepaid this 27<sup>th</sup> day of March 2006.



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