

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Carla Belcher)	
3804 Kirkup Ave.)	
Cincinnati, OH 45213)	
)	
Complainant,)	Case No. 12-1885-EL-CSS
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

ANSWER OF DUKE ENERGY OHIO, INC.

For its Answer to the Complaint of Cara Belcher (Complainant), Duke Energy Ohio, Inc. (Duke Energy Ohio or Company) states as follows:

1. Duke Energy Ohio denies all allegations of the Complaint.

AFFIRMATIVE DEFENSES

2. The Complaint fails to state a claim against Duke Energy Ohio upon which relief may be granted.
3. Duke Energy Ohio asserts as an affirmative defense that pursuant to R.C. 4905.26 and O.A.C. 4901-9-01-(B)(3), Complainant has failed to set forth reasonable grounds for complaint.
4. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, Duke Energy Ohio has provided reasonable and adequate service and has billed the Complainant according to all applicable provisions of Title 49 of the

Ohio Revised Code and regulations promulgated thereunder, and in accordance with all of Duke Energy Ohio's filed tariffs.

5. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, the Company acted in conformance with O.A.C. 4901:1-10-22, 4901:1-18-09, and R.C. 4933.28.
6. Duke Energy Ohio asserts as an affirmative defense that the Company timely and appropriately responded to Complainant's issues and concerns and at various times tightened connections, changed the meter, switched out the transformer, conducted load imbalance tests, etc., so that the Company could continue providing reasonable and adequate service to Complainant.
7. Duke Energy Ohio asserts as an affirmative defense that, pursuant to Ohio Revised Code Section 4905.26, the Commission lacks subject matter jurisdiction and authority to award money damages.
8. Duke Energy Ohio asserts as an affirmative defense that Complainant has not stated any request for relief, including relief which may be granted by this Commission.
9. Duke Energy Ohio reserves the right to raise additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as may become necessary during the investigation and discovery of this matter.

CONCLUSION

WHEREFORE, having fully answered, Duke Energy Ohio, Inc. respectfully moves this Commission to dismiss the Complaint of Carla Belcher for failure to set forth reasonable grounds for the Complaint and to deny Complainant's Request for Relief, if any.

Respectfully submitted,



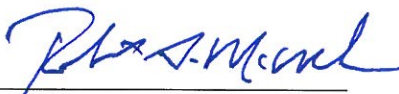
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Attorneys for Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer to the complaint of Carla Belcher was served via regular US Mail, postage prepaid, this 10th day of July, 2012, upon the following:

Cara Belcher
3804 Kirkup Ave.
Cincinnati, OH 45213



Robert A. McMahon