**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |  |  |
| --- | --- | --- |
| JEFF SLUSSERComplainant,v.THE EAST OHIO GAS COMPANY D/B/A DOMINION EAST OHIO,Respondent. | )))))))))) | Case No. 12-1259-GA-CSS |

**ANSWER**

 Pursuant to Ohio Adm. Code 4901-9-01(D), the Respondent, The East Ohio Gas Company d/b/a Dominion East Ohio (“DEO” or the “Company”), for its answer to the complaint of Jeff Slusser states:

**FIRST DEFENSE**

1. DEO is without sufficient knowledge or information to admit or deny the allegation that “service was not turned off in a timely manner.”
2. DEO is without sufficient knowledge or information to admit or deny the allegation that “service not be transferred to other properties.”
3. DEO denies that Mr. Slusser is entitled to receive “reimbursement for lost [sic] of rent and property.
4. DEO is without sufficient knowledge or information to admit or deny the truth of the allegation concerning Mr. Slusser renting “to low income since 83.”
5. DEO is without sufficient knowledge or information to admit or deny the truth of the allegation that Mr. Slusser “could absorb their struggles with rent but when the gas co [sic] more than tripled their cost for gas [he] couldn’t.”
6. DEO denies generally any allegations not specifically denied in this Answer, pursuant to Ohio Adm. Code. 4901-9-01(D).

**AFFIRMATIVE DEFENSES**

**SECOND DEFENSE**

1. The complaint does not comply with the Commission’s rules requiring “a statement which clearly explains the facts.” Ohio Adm. Code 4901-9-01(B). The complaint is not in paragraph form, and many of the allegations in the complaint are difficult or impossible to understand, requiring DEO to speculate as to their meaning. DEO has attempted, to the best of its ability, to answer all of the allegations, but reserves the right to amend its answers in the event it has incorrectly understood them.

**THIRD DEFENSE**

1. The complaint does not contain “a statement of relief sought,” as required by Ohio Adm. Code 4901-9-01(B), since Mr. Slusser cannot request monetary damages to be awarded in this proceeding.

**FOURTH DEFENSE**

1. The complaint fails to set forth reasonable grounds for complaint, as required by R.C. 4905.26.

**FIFTH DEFENSE**

1. The complaint fails to state a claim upon which relief can be granted.

**SIXTH DEFENSE**

1. DEO at all times complied with Ohio Revised Code Title 49; the applicable rules, regulations, and order of the Public Utilities Commission of Ohio; and DEO’s tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Mr. Slusser’s claims.

**SEVENTH DEFENSE**

1. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, DEO respectfully requests an Order dismissing the complaint and granting DEO all other necessary and proper relief.

Respectfully submitted,

/s/ Melissa L. Thompson

Mark A. Whitt (Counsel of Record)

Andrew J. Campbell

Melissa L. Thompson

WHITT STURTEVANT LLP

PNC Plaza, Suite 2020

155 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3911

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

campbell@whitt-sturtevant.com

thompson@whitt-sturtevant.com

ATTORNEYS FOR THE EAST OHIO GAS COMPANY D/B/A DOMINION EAST OHIO

**CERTIFICATE OF SERVICE**

 I hereby certify that a copy of the foregoing Answer was served by U.S. mail to the following person on this 7th day of May, 2012:

Mr. Jeff Slusser

319 Spring Street

Wooster, Ohio 44691

/s/ Melissa L. Thompson

One of the Attorneys for The East Ohio Gas Company d/b/a Dominion East Ohio