**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**ANSWER TO FIRST AMENDED COMPLAINT**

 Pursuant to Ohio Adm. Code 4901-9-01(D) and the Attorney Examiner’s May 18, 2012 Entry, the Respondent, The East Ohio Gas Company d/b/a Dominion East Ohio (“DEO” or the “Company”), for its answer to the more definite statement of facts underlying the complaint and requested relief (“First Amended Complaint”) filed by Jeff Slusser on June 4, 2012, states:

**FIRST DEFENSE**

1. DEO is without sufficient knowledge or information to admit or deny the allegation that the “North Bever Property” has two addresses.
2. DEO is without sufficient knowledge or information to admit or deny the allegation that Mr. Slusser was “evicting the last two nonpaying tenants which took 6 months” before the 665 North Bever auction. DEO admits that the final balance for the account ending in numbers 3442 was $4,709.16. DEO denies that it obtained the final reading on August 22, 2007, for the account ending in numbers 3442.
3. DEO is without sufficient knowledge or information to admit or deny the allegations in paragraph 3.
4. DEO is without sufficient knowledge or information to admit or deny the allegations in paragraph 4.
5. DEO admits that the house meter (“HMTR”) for the account ending with numbers 3442 is located at 319 Spring Street, Wooster, Ohio 44691. DEO also admits that the final balance from the account ending with numbers 3442 was transferred to Mr. Slusser’s HMTR account at 431 North Market Street, Wooster, OH 44691.
6. DEO admits that Mr. Slusser has been the customer of record at the addresses listed in Paragraph 6. DEO further avers that Mr. Slusser was served under numerous accounts at each of the addresses listed in Paragraph 6.
7. DEO admits that it disconnected Mr. Slusser’s 431 North Market Street HMTR account for nonpayment. DEO denies transferring the accounts for all six addresses to the 431 North Market Street HMTR account, and subsequently denies disconnecting service after transferring all six addresses’ accounts to the 431 North Market Street HMTR account. DEO is without sufficient knowledge or information to admit or deny the allegations concerning “low payments” on Mr. Slusser’s gas accounts.
8. DEO is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 8.
9. DEO admits that it transferred the final balance of the 431 North Market Street HMTR account, after it was disconnected for nonpayment, to the 439 North Market Street HMTR account.
10. DEO denies that Mr. Slusser did not make any payments at the 439 North Market Street HMTR account. DEO also admits that it disconnected the 439 North Market Street HMTR account for nonpayment. DEO further avers that the total outstanding final balance due on the 439 North Market Street HMTR account is $12,065.90.
11. DEO is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 11.
12. DEO is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 13.
13. DEO is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 14.
14. DEO is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 15.
15. DEO is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 16.
16. DEO is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 17.
17. DEO denies that Mr. Slusser is entitled to the relief alleged in paragraphs 1 through 4 on page 4.
18. DEO denies generally any allegations not specifically denied in this Answer to First Amended Complaint, pursuant to Ohio Adm. Code 4901-9-01(D).

**AFFIRMATIVE DEFENSES**

**SECOND DEFENSE**

1. The First Amended Complaint contains improper “statement of relief sought,” since Mr. Slusser cannot request monetary damages to be awarded in this proceeding.

**THIRD DEFENSE**

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

**FOURTH DEFENSE**

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

**FIFTH DEFENSE**

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

**SIXTH 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 First Amended Complaint and granting DEO all other necessary and proper relief.

Respectfully submitted,

/s/ Melissa L. Thompson

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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 to First Amended Complaint was served by U.S. mail to the following person this 14th day of June, 2012:

Mr. Jeff Slusser

1740 Westwood Circle

Wooster, Ohio 44691

/s/ Melissa L. Thompson

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