**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| GWENDOLYN TANDY,Complainant,v.THE EAST OHIO GAS COMPANY D/B/A DOMINION EAST OHIO,Respondent. | )))))))))) | Case No. 12-2103-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 Gwendolyn Tandy states:

**FIRST DEFENSE**

1. DEO admits that it established a new account for Ms. Tandy at 1439 Sulzer Avenue, Euclid, Ohio, but denies it did so on November 10, 2011.
2. DEO denies that it established a new account “to get rid of the past due amount.”
3. DEO is without sufficient knowledge or information to admit or deny the allegation that Ms. Tandy’s next reverification date is November 3, 2012, and anniversary date of September 15, 2011. DEO avers that Ms. Tandy was dropped from the Percentage of Income Payment Program (“PIPP”) on January 31, 2012, for enrollment fraud.
4. DEO is without sufficient knowledge or information to admit or deny the allegation that “[o]n March 15, 2012 I received, subject [sic] Current Plus Plan Agreement which is $29.00 plus an additional $10.55,” and denies that a new plan was established on April 14, 2012. DEO avers that on April 12, 2012, it automatically enrolled Ms. Tandy in the six-month Current Plus Payment Plan due to her account arrears. DEO further avers that under the Current Plus Payment Plan, Ms. Tandy was required to pay $69.67 per month in addition to her current charges. DEO further avers that Ms. Tandy failed to pay the required amounts due.
5. DEO is without sufficient knowledge or information to admit or deny the allegation that Ms. Tandy has been complaining to DEO and the Commission for two years “about this Graduated PIPP Plus in the amount of $341.00.”
6. DEO denies that Ms. Tandy was assigned to PIPP Plus.
7. DEO denies that Ms. Tandy “never agreed to a plan that would double my current amount.”
8. DEO denies that Ms. Tandy was “reinstated to PIPP Plus on April 14, 2012.”
9. DEO admits that Ms. Tandy received an eHEAP credit of $117.10 on December 1, 2011, as reflected on her December 9, 2011 billing statement, but denies that Ms. Tandy had a zero balance.
10. DEO denies generally any allegations not specifically admitted or 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, many statements, notes, and questions are scattered throughout the numerous documents appended to her complaint, and many of the allegations and statements 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 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).

**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 Ms. Tandy’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/ Andrew J. Campbell

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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 was served by U.S. mail to the following person on this 7th day on August, 2012:

Gwendolyn Tandy

1439 Sulzer Avenue

Euclid, Ohio 44132

/s/ Andrew J. Campbell

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