

## BEFORE

## PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of  
John A. Rose,

Complainant,

v.

Vectren Energy Delivery of Ohio, Inc.,

Respondent.

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Case No. 06-1512-GA-CSS

ENTRY

The attorney examiner finds:

- (1) On December 28 2006, John A. Rose (complainant) filed a complaint against Vectren Energy Delivery of Ohio, Inc., (VEDO) alleging that VEDO wrongfully disconnected his service even though the complainant had paid his bill.
- (2) On January 2, 2007, pursuant to Rule 4901-9-01, Ohio Administrative Code (O.A.C.), the secretary of the Commission served a copy of the complaint on VEDO and directed VEDO to file an answer to the complaint with the Commission, along with any responsive motions, and to serve a copy of the answer and any motions upon the complainant.
- (3) On January 22, 2007, a motion for admission *pro hac vice* was filed by VEDO to admit Mary-James Young to practice before the Commission in this proceeding and to participate as co-counsel for VEDO. The attorney examiner finds that the motion for admission *pro hac vice* should be granted.
- (4) On January 22, 2007, VEDO filed an answer along with a motion to dismiss stating that the parties have resolved this matter and that, while VEDO's efforts to have the complainant sign a joint motion to dismiss were unsuccessful, the complainant verbally agreed that the matters complained of have been resolved. VEDO stated that, in accordance with Rule 4901-9-01(E), O.A.C., this case should be dismissed if the complaint does not file a written response within 20 days.

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- (5) On January 25, 2007, the complainant delivered to the Commission's Docketing Division via facsimile transmission a response to VEDO's motion to dismiss stating that, while he paid the full balance of his bill, his complaint had not been resolved, and amending his complaint stating that VEDO improperly handled his medical certification form. For future filings, the attorney examiner reminds the complainant that, pursuant to Rule 4901-1-02(B)(8), O.A.C., all documents filed via facsimile transmission, must be followed by an original signed document no later than the next business day.
- (6) On February 1, 2007, VEDO filed a notice of withdrawal of its January 22, 2007, motion to dismiss and an answer to the new allegations filed by the complainant on January 25, 2007.
- (7) The attorney examiner finds that this matter should be scheduled for a settlement conference. Accordingly, this case should be scheduled for a conference on Thursday, March 1, 2007, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, hearing room F, Columbus, Ohio 43215-3793.
- (8) The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. Therefore, the parties should bring with them all documents relevant to this matter.
- (9) An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.
- (10) If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

It is, therefore,

ORDERED, That the motion for admission *pro hac vice* of Mary-James Young be granted. It is, further,


ORDERED, That a settlement conference be scheduled on Thursday, March 1, 2007, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, hearing room F, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Christine M.T. Pirik  
Attorney Examiner

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Entered in the Journal

**FEB 08 2007**



Renee J. Jenkins  
Secretary