

## BEFORE

## THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Tiffany	)	
Ridge Townhouse Condominium Unit	)	
Owners' Association, Inc.,	)	
	)	
Complainant,	)	
	)	Case No. 06-1372-EL-CSS
v.	)	
	)	
Cleveland Electric Illuminating Company,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On November 20, 2006, Tiffany Ridge Townhouse Condominium Unit Owners' Association, Inc. (complainant) filed a complaint alleging that Cleveland Electric Illuminating Company (CEI) improperly redirected one of the power lines that served a pump station to the complainant. Complainant also alleged that, as a result, the pump station flooded and had to be pumped out at additional cost to complainant.
- (2) On January 3, 2007, following a request for an extension of time, CEI filed an answer which denied the material allegations of the complaint.
- (3) By entry of January 18, 2007, a prehearing settlement conference was scheduled for February 15, 2007. Due to severe weather, the prehearing conference was rescheduled and, thereafter held on March 9, 2007. At the conclusion of the prehearing conference, the parties agreed that a hearing should be scheduled.
- (4) Accordingly, a hearing in this matter should be held on May 8, 2007, at 10:00 a.m., in Hearing Room 11-F, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.
- (5) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(j), Ohio Administrative

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Code, which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

- (6) In complaint proceedings, the burden of proof rests with the complainant. Therefore, at the hearing, it shall be complainant's responsibility to appear and be prepared to present evidence in support of the complaint.

It is, therefore,


ORDERED, That a hearing be held as set forth in Finding (4). It is, further,

ORDERED, That any party intending to present expert testimony comply with Finding (5). It is, further,


ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Scott Farkas  
Attorney Examiner

  
/ct

Entered in the Journal  
MAR 13 2007

  
Renee J. Jenkins  
Secretary