

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of
Bradley J. Bennett, Sr.,

Complainant,

v.

Utility Operators Corporation,

Respondent.

Case No. 05-726-WS-CSS

ENTRY

The attorney examiner finds:

- (1) On May 31, 2005, Mr. and Mrs. Bradley J. Bennett, Sr. (Complainants) filed a complaint against Utility Operators Corporation (UOC). In their complaint, Complainants allege that UOC was operating an inadequate facility, causing severe damage to their home.
- (2) On June 15, 2005, UOC filed its answer in this proceeding, denying the complainant's allegations and alleging that the damage was due to heavy rains caused by the hurricanes in September, 2004.
- (3) A prehearing conference was held on August 3, 2005. A second prehearing conference was held on November 30, 2005; the parties continued informal negotiations but were unable to resolve this matter.
- (4) By entry dated March 16, 2007, the attorney examiner scheduled this case for hearing on April 26, 2007. However, on March 26, 2007, the Respondent requested a one week continuance due to a scheduling conflict.
- (5) The attorney examiner finds that Respondent's motion for a continuance is reasonable and should be granted. Therefore, the hearing in this proceeding should be rescheduled for May 3, 2007, at 10:00 a.m. at the offices of the Commission,

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Hearing Room 11-G, 11th Floor, 180 East Broad Street,
Columbus, Ohio 43215-3793.

- (6) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(j), Ohio Administrative 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.

It is, therefore,

ORDERED, That Respondent's motion for a continuance be granted. It is, further,

ORDERED, That the hearing be rescheduled in accordance with Finding (5). It is, further,

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

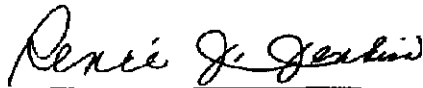
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Gregory A. Price
Attorney Examiner



Entered in the Journal

APR 20 2007



Renee J. Jenkins
Secretary