

**FILE**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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PUCO

**JOSE PAGAN,**

**Complainant,**

**v.**

**THE EAST OHIO GAS CO. d/b/a  
DOMINION EAST OHIO,**

**Respondent.**

**Case No. 07-688-GA-CSS**

**ANSWER**

Respondent The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO"), for its Answer to the Complaint, responds as follows:

**FIRST DEFENSE**

1. Admits that it is a public utility regulated by the Public Utilities Commission of Ohio and that Complainant is one of its customers. DEO denies that the account number listed in the first paragraph of the Complaint is Complainant's current account number, but avers that Complainant has had at least three different account numbers as a customer of DEO and that his current account number is 8500015923483.

2. Denies that Complainant received gas service from DEO at 2153 Seymour Avenue from 1987 to 1990, but avers that Complainant received gas service at 2115 Seymour Ave., Unit U, Cleveland, Ohio ("2115 Seymour") from November, 3, 1987, until December 6, 1988. DEO denies that Complainant transferred service in his name to an apartment at West 29th Street, but avers that Complainant's service was disconnected at 2115 Seymour at Complainant's request. DEO denies that Complainant maintained an account with DEO in Complainant's name at West 29th Street, Cleveland, Ohio.

3. Denies that Complainant transferred the gas service in his own name from West 29th Street to 3704 Chatham Avenue, Cleveland, Ohio ("3704 Chatham"). DEO avers that it established gas service in Complainant's name at 3704 Chatham on January 8, 1992. DEO admits that Complainant enrolled in PIPP in 1992. DEO denies that Complainant has not had his service interrupted or disconnected, but avers that service was disconnected at 2115 Seymour at Complainant's request on December 6, 1988, and that service was disconnected for non-payment at 3704 Chatham on October 25, 2002.

4. Admits that Complainant accrued \$5,364.34 in charges as of April 4, 2006, at 3704 Chatham under account number 8500015923483. DEO avers that Complainant also accrued at least \$7,107.99 in charges from January 8, 1992, to October 25, 2002, at 3704 Chatham under account number 8442009174357. DEO avers that Complainant also accrued at least \$292.47 in charges from November 3, 1987, to December 6, 1988, at 2115 Seymour under account number 5440009174344. DEO admits that Complainant has made payments since April 9, 2006.

5. Admits the allegations in paragraph 5 of the Complaint.

6. Admits the allegations in paragraph 6 of the Complaint.

7. Is without sufficient knowledge or information to form a belief as to when Complainant obtained representation by counsel. DEO admits that it sent Complainant letters dated June 30, 2006, that explained some of the charges on Complainant's bills. DEO avers that the documents speak for themselves and denies that it attributed any charges to account number 9442009174357. DEO denies Complainant's characterization of the June 30, 2006 correspondence.

8. Avers that the letters referenced in paragraph 8 speak for themselves and denies Complainant's characterization thereof.

9. Avers that the letter and account statement referenced in paragraph 9 speak for themselves.

10. Denies that Complainant has never had his gas disconnected and denies that he has had the same account transferred in his name from address to address.

11. Denies that DEO's billing practices prevent customers from knowing and contesting amounts due. DEO avers that Complainant's account balances have been explained to him and his counsel on many occasions by both DEO and Commission staff.

12. Any allegations not expressly admitted in this Answer are denied.

#### **SECOND DEFENSE**

13. The Complaint fails to state a claim for which relief can be granted.

#### **THIRD DEFENSE**

14. The Complaint fails to set forth reasonable grounds for complaint.

#### **FOURTH DEFENSE**

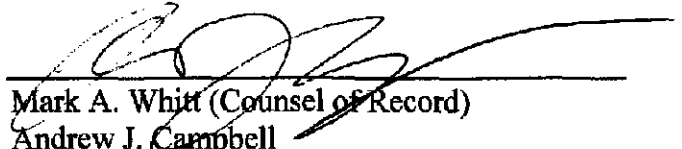
15. DEO at all times complied with Title 49, Ohio Revised Code; the rules, regulations, and orders of the Commission; and DEO's tariffs. These statutes, rules, regulations, and tariff provisions bar Complainant's claims.

#### **FOURTH DEFENSE**

16. The Complaint does not present a case or controversy, or is not ripe, because DEO is not presently attempting to collect any outstanding balance from Complainant.

WHEREFORE, DEO respectfully requests an Order dismissing the Complaint and granting DEO all other necessary and proper relief.

Respectfully submitted,



Mark A. Whitt (Counsel of Record)

Andrew J. Campbell

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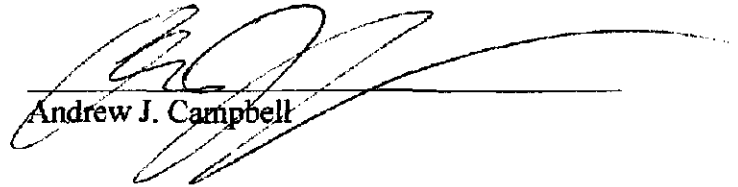
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ATTORNEYS FOR RESPONDENT  
THE EAST OHIO GAS COMPANY d/b/a  
DOMINION EAST OHIO

# **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was sent by ordinary U.S. mail to  
Joseph P. Meissner, Legal Aid Society of Cleveland, 1223 West Sixth Street, Cleveland, Ohio  
44113, this 27th day of June, 2007.



Andrew J. Campbell