

FILE

07-922-GA-CSS

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The Public Utilities
Commission of Ohio

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Case Number

Public Utilities Commission of Ohio
Attn: Docketing
180 E. Broad St.
Columbus, OH 43215

PUCO
Formal Complaint Form

Equinox REAL ESTATE
Customer Name INVESTMENTS, LLC

1042 N. MOUNTAIN AVE # B445
Customer Address

UPLAND CA 91786
City State Zip

Against

3620-0411-28-0
Account Number

3634 READING RD
Customer Service Address (if different from above)

DUKE ENERGY
Utility Company Name

CINCINNATI OH 45229
City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

[Signature]
Signature

909.260.8994 90921-5707
Customer Telephone Number

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Technician [Signature] Date Processed 8.15.07

The Public Utilities Commission of Ohio
Ted Strickland, Governor • Alan R. Schriber, Chairman
Commissioners: Ronda Hartman Fergus, Judy A. Jones, Valerie A. Lemmie, Donald L. Mason
180 E. Broad Street, Columbus, Ohio 43215-3793 • An Equal Opportunity Employer and Service Provider

Formal Complaint Against Duke Energy

Account Holder:

Equimax Real Estate Investments, LLC
1042 N. Mountain Avenue, B445
Upland, CA 91786
Keith M. Newman, Managing Member: 909.921.5707
Onofrio Pentolino II, Managing Member: 909.260.8994

Account Number:

3620-0411-28-0

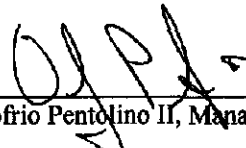
Brief statement summarizing the facts of our complaint:

We own a building in the Avondale area of Cincinnati, and are customers of Duke Energy. Our building is a 9 unit apartment building, of approximately 5,000 square feet in total. It is undergoing a complete rehabilitation. For about 8 months, the meter was inaccessible due to debris as a result of the construction. During this time, we had only one tenant in the building for security reasons. The boiler has not been activated. The tenant has been using space heaters for his unit only as there are no other occupants. When Duke was finally able to access the meter, they issued us a bill of approximately \$5,200. During the time it was inaccessible, we were paying estimated payment of approximately \$200 - \$300. These approximate payments along with the balance averages \$900 per month, or \$7,200 in energy usage for the 8 months. Once they had access to the meter, our bills for the last two months have averaged \$100 per month. Nothing has changed in these last two months vs. the previous eight months. There is no logical explanation as to how we could reduce our usage by 900%. We have asked repeatedly for a detail of the meter reading proving that this was actual usage, and three requests in a row they have sent us the old billing that shows the reading as an estimate. Even if it did not show the reading as an estimate, there is very little statistical possibility that they could estimate our usage to the penny, as there was no change from the estimated bill to the actual bill. They are now threatening to cancel our service due to this outrageous previous amount.

Brief Statement describing what we would like the Commission to do:

We would like the Commission to stay the disconnection of our service pending the outcome of the complaint. We would also like Duke to either prove that we owe this outrageous amount, provide the actual amount that we owe, or if they cannot do either of these, then settle the previous amount based upon our current usage. We will gladly pay what we owe, but the amount they are trying to charge us is not possibly correct.


Keith M. Newman, Managing Member


Onofrio Pentolino II, Managing Member