

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Barbara)	
T. Smith,)	
)	
Complainant,)	
)	
v.)	Case No. 08-667-WS-CSS
)	
Aqua Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On June 4, 2008, Barbara T. Smith (Ms. Smith or complainant) filed a complaint against Aqua Ohio, Inc. (Aqua). Ms. Smith alleges that Aqua is a water company and that she is a customer. In her complaint, Ms. Smith alleges that a water line broke at the end of her residential driveway in 2003. She states that, since that time, Aqua has repaired her driveway three times and has failed to do so in a satisfactory manner.

Ms. Smith requests an order from the Commission allowing her to choose a company to repair the driveway without charge to her. Ms. Smith has observed that the cement has started to deteriorate. She suspects that the driveway was not correctly sealed.

- (2) Aqua filed an answer to the complaint on July 7, 2008. In its answer, Aqua admits that it repaired the complainant's driveway on three occasions. Aqua further admits that it repaired the driveway as the result of a water main break in the spring of 2002. Denying all other allegations, Aqua contends that the complaint should be dismissed for failure to state a claim and for lack of reasonable grounds for complaint.

- (3) This matter shall be scheduled for a mediated settlement conference. The conference shall take place on Monday, September 8, 2008, at 3:00 p.m. and shall be conducted by telephone. The purpose of the conference will be to determine

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whether this matter can be resolved informally. The parties should have available to them any relevant documents.

It is, therefore,

ORDERED, That a prehearing settlement conference be held on September 8, 2008, at 3:00 p.m. It is, further,

ORDERED, That copies of this Entry be served upon the parties, counsel, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: L. Douglas Jennings
Attorney Examiner

GRG
/vrm

Entered in the Journal

AUG 26 2008



Renee J. Jenkins
Secretary