

FILE



The Public Utilities  
Commission of Ohio

*Original*

09-418-EL-CSS 5

MMAF040609DP

Case Number

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

### Formal Complaint Form

MANNY & JUDI NAFT

Customer Name

2632 SOM. CENTER RD

Customer Address

PEPPER PIKE OHIO 44124

City

State Zip

**Against**

11 00 25 075117

Account Number

SAME

Customer Service Address (if different from above)

THE ILLUMINATING COMPANY

Utility Company Name

City

State Zip

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

SEE ATTACHED SHEETS

RECEIVED-DOCKING DIVISION

2009 MAY 18 3:23

PU

Signature

*Manny H. Naft*

440 473 6238

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician SM Date Processed MAY 18 2009

PAGE 1 OF 5

### Summary:

Manny and Judi Naft, phone number 440-473-6238, the homeowners of 2632 SOM Center Road, Pepper Pike Ohio 44124 and a customer of The Illuminating Company request reimbursement from The Illuminating Company on a \$645.50 bill (which includes tax) for which we were charged for them to fix a problem not underground but several feet above ground right on the power pole on the city easement. The power pole is located at the street, in our front yard. Please note that the exact series of events had occurred about 15 years ago and The Illuminating Company paid for the repair. However, this time their Area Manager, Darlene Johnson-Cargill, stated that they are a different organization now and they have changed their policy. The new policy they claim changes their responsibility in that homeowners who have elected to have their power service be underground, rather than overhead, are now not only responsible for the underground portion (we have no problem with that) but are now responsible for power-line maintenance all the way up the pole until the connection point overhead. This invoice was issued for work done on March 11, 2009.

The Area Manager, Darlene Johnson-Cargill, asked me on several occasions "...Did the trouble shooting team or the final repair crew have to dig to find or make the repair..." while she was researching who would take financial responsibility for the repair. When I stated that there was no digging or underground work involved she was surprised that we were charged for the repair, as were the repair teams that were sent to our home. The repair teams had also stated very clearly that it was The Illuminating Company policy that if the failure was below ground it is the homeowners, but as soon as the power line leaves the ground it is The Illuminating Company responsibility. We supplied her photographs of the failed lines before the repair was made which clearly show the problem was well above ground; these same photographs are also attached to this complaint. (Note that I also have saved the actual failed lines themselves.) It appears that the usual delineation line for responsibility is whether or not underground work has to be done. For whatever reason this time when the repair crews called the problem into headquarters the dispatcher chose to change the interpretation on where responsibility changes hands and management has since not wanted to correct/override that spot ruling. It is very interesting to note that when the dispatcher told the on-site repair crew to notify us that it was our financial responsibility for the above ground repair, they were embarrassed by this decision and made the dispatcher call us himself and say we would be charged.

Below is the e-mail of April 3, 2009 where The Area Manager, Darlene Johnson-Cargill, quote the Electrical Service Standards Rules and Regulations to be:

"...Mr. Naft,

Since we spoke earlier today, I have a clearer explanation to your question and concerns. The long answer as to why you were charged to repair the cable going up the pole is stated in the Electrical Service Standards Rules and Regulations, on file with the Public Utilities Commission of Ohio.

**It states as follows:**

**"...Customers requiring underground service from overhead or underground distribution facilities shall at their own expense install and maintain the underground facilities in accordance with the Company's specifications from the meter location on the customer's premises to the Company's distribution wires to which connections are made by the Company. The customer shall own such underground facilities and replace such when required."**

The damaged cable going up the utility pole is customer-owned until it touches the CEI-owned distribution wire at the top of the pole. The service connection is made at that point. Therefore, you were charged correctly for the repairs to your equipment.

Due to the facts as stated above, there will be no reimbursement.

To the other part of your question as to why you weren't charged for similar repairs 10 years ago, I cannot give you a definitive answer. I only know that we were a different organization, then.

If interested, the Electrical Services Department can provide you with the cost to encase the wire in pipe to prevent the same thing from happening in the future. But, due to the fact that we're talking about customer-owned equipment, a private electrical contractor could quote you a price as well. And, in hindsight, even though you didn't want to involve a third party, perhaps you could have received a lower price for the work in question from a private electrical contractor.

I hope this explanation is sufficient. Please call me if you need further clarification.

Thanks for your patience.

Darlene L. Johnson-Cargill

Area Manager

The Illuminating Company

(216) 295-5057 ..."

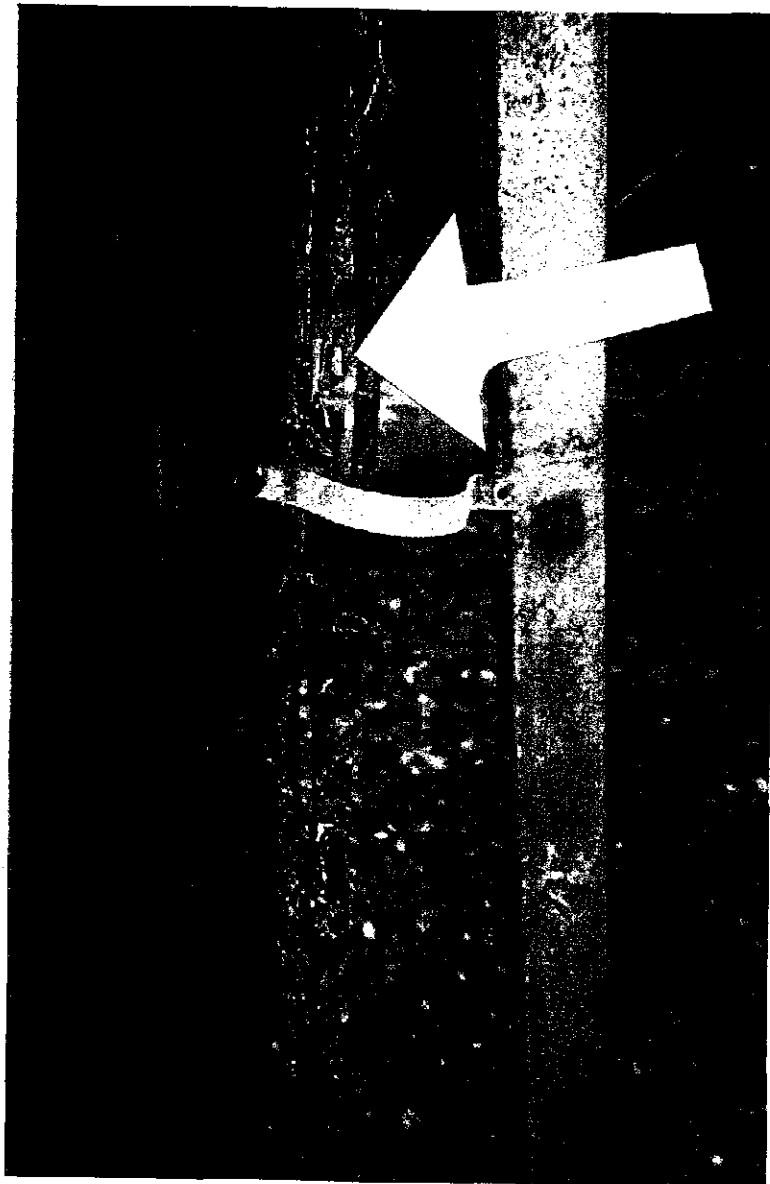
Note that the **Rules and Regulations they quote do not state** "...The damaged cable going up the utility pole is customer-owned until it touches the CEI-owned distribution wire at the top of the pole..." That statement appears to be their own new interpretation which fails to follow rules, discriminating against us as seems for others its interpreted differently, they are providing us inadequate maintenance service.

Thus, we appeal to the PUCO that reasonable grounds for the complaint have been stated and that the PUCU shall fix a time for a hearing on this matter to hopefully reverse The Illuminating Company's decision and reimburse us for the \$645 repair cost for which we were charged.

Thank you for your time and we look forward to hearing from you soon.

Regards,  
Manny and Judi Naft  
2632 SOM Center Road  
Pepper Pike, Ohio 44124  
440-473-6238  
Account Number 11 00 25 075117

TELEPHONE  
POLE  
AT  
STREET



WIRES CHAINED  
THROUGH ABOVE  
GROUND ON  
UTILITY POLE  
AT STREET

PHOTO'S OF THE  
3 LINES THAT  
WERE REMOVED  
FROM  
POLE  
SHOWING  
BEING  
EATEN  
THROUGH.

