

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of L33T	)	
Properties, LLC,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 09-288-GA-CSS
	)	
Columbia Gas of Ohio, Inc.,	)	
	)	
Respondent.	)	

ENTRY

The Commission finds:

- (1) On April 1, 2009, L33T Properties, LLC (complainant) filed a complaint with the Commission against Columbia Gas of Ohio, Inc. (Columbia). The complainant alleges that Columbia was misleading and failed to follow the applicable rules and regulations regarding riser replacement.

Specifically, the complainant asserts that in early March 2008, Columbia disconnected gas service to a rental property owned by the complainant due to the smell of gas. The complainant avers that in order to reestablish service, the replacement of the riser was necessary. According to L33T, Columbia represented that, although the specifics of its riser replacement plan were unknown, the complainant could either wait for Columbia to replace the riser or it could retain and a contractor and have Columbia provide reimbursement for up to \$500.

L33T states that it hired a contractor to replace the riser and then subsequently contacted Columbia for reimbursement, only to be informed that the details of the program were still not developed. The complainant alleges that in June 2008, it again contacted Columbia requesting reimbursement and was again informed that the company was still developing the specifics of the reimbursement program. According to the complainant, on September 6, 2008, it was informed by the Columbia that it was not eligible for reimbursement. The complainant believes that this determination was due to the

fact that its brand of riser was not included in reimbursement program. L33T contends that such a distinction is unreasonable and, therefore, seeks compensation for the work performed to replace the riser and all of the expenses incurred for the purpose of seeking reimbursement.

- (2) On April 7, 2009, Columbia filed its answer denying the allegations set forth in the complaint and asserting that it has complied with all applicable Ohio statutes, the company's tariff, and all Commission rules and regulations.
- (3) On May 26, 2009, Columbia filed a motion to dismiss pursuant to Rule 4901-9-01(E), Ohio Administrative Code (O.A.C.), stating that the matter had been resolved.
- (4) Rule 4901-9-01(E), O.A.C., states in relevant part that:

If the public utility complained against files an answer or motion which asserts that the complaint has been satisfied or that the case has been settled, the complainant shall file a written response within 20 days after the service of the answer or the motion, indicating whether the complainant agrees or disagrees with the utility's assertions, and whether he or she wishes to pursue the complaint. If no response is filed within the prescribed period of time, the commission may presume that satisfaction or settlement has occurred and dismiss the complaint.

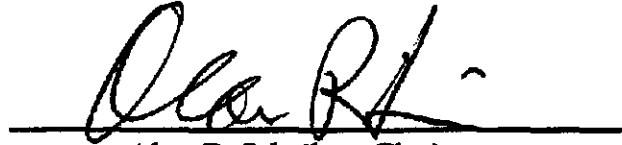
- (5) Complainant has not filed a response to Columbia's motion.
- (6) Pursuant to Rule 4901-9-01(E), O.A.C., the Commission believes that a satisfaction or settlement of the complaint has occurred. Accordingly, the complaint should be dismissed.

It is, therefore,

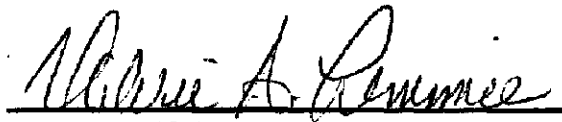
ORDERED, That the complaint should be dismissed and closed of record. It is, further,

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


THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Paul A. Centolella

  
Valerie A. Lemmie

  
Ronda Hartman Fergus

  
Cheryl L. Roberto

JSA;geb

Entered in the Journal

JUN 24 2009



Renee J. Jenkins  
Secretary