

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Manny)	
and Judi Naft,)	
)	
Complainants,)	
)	
vs.)	Case No. 09-418-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On June 9, 2009, Manny and Judi Naft (the complainants) filed a complaint against The Cleveland Electric Illuminating Company (Cleveland Electric). The complainants, who allege that they are customers of Cleveland Electric, seek reimbursement of \$645.50 from Cleveland Electric for a bill related to repair charges. The issue presented by the complainants is whether they or Cleveland Electric is responsible for repairs to the facilities that provide electrical service to the complainants' home.

It is the complainants' position that Cleveland Electric is responsible for above ground repairs and that residents are responsible for any repairs to subterranean facilities. In describing their situation, the complainants emphasize that damaged aboveground cables caused their service problems. The damaged cables were located several feet above ground attached to a pole located within an easement. Even though it is readily apparent to the complainants that above ground cables were damaged, Cleveland Electric charged the complainants for repairs. The complainants note that a similar event happened in the past. According to the complainants, at that time, Cleveland Electric did not charge for repairs to aboveground facilities.


- (2) Cleveland Electric filed an answer to the complaint on June 9, 2009. In its answer, Cleveland Electric admits that it repaired the complainants' customer-owned, underground service lateral that is located above ground and runs along a pole. It is Cleveland Electric's contention that the service lateral is a necessary component of underground service. Cleveland Electric requests that the complaint be dismissed for lack of reasonable grounds.
- (3) This matter should be scheduled for a mediated settlement conference. The conference shall take place on Wednesday, September 2, 2009, at 1:00 p.m. in the 12th Floor Legal Conference Room at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. The purpose of the conference will be to determine whether this matter can be resolved informally. The parties should have available to them at the conference any relevant documents.


It is, therefore,

ORDERED, That a prehearing settlement conference is scheduled for Wednesday, September 2, 2009, at 1:00 p.m. in the 12th Floor Legal Conference Room at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. It is, further,

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

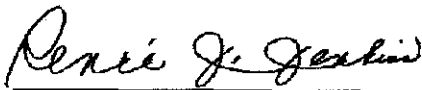
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: L. Douglas Jennings
Attorney Examiner

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Entered in the Journal

AUG 26 2009



Renee J. Jenkins
Secretary