

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Denver R. Gatrell,)	
)	
Complainant,)	
)	
v.)	Case No. 09-740-EL-CSS
)	
Ohio Edison Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On August 24, 2009, Denver R. Gatrell (complainant) filed a complaint against Ohio Edison Company (Ohio Edison) alleging that Ohio Edison has not accurately billed him for his electricity usage.
- (2) On August 25, 2009, pursuant to Rule 4901-9-01, Ohio Administrative Code (O.A.C.), the secretary of the Commission served a copy of the complaint on Ohio Edison and directed Ohio Edison to file an answer to the complaint with the Commission, along with any responsive motions, and to serve within 20 days a copy of the answer and any motions upon the complainant.
- (3) On September 15, 2009, Ohio Edison filed its answer to the complaint denying the allegations in the complaint, and stating that it has accurately billed the complainant for his electricity usage. In addition, Ohio Edison filed a motion for leave to file its answer instanter, stating that it made an error in calculating the 20-day response period, and failed to timely file its answer. The attorney examiner finds that Ohio Edison's motion to file instanter is reasonable and should be granted.
- (4) At this time, the attorney examiner finds that this matter should be scheduled for a settlement conference on Tuesday, October 13, 2009, at 10:00 a.m., at the offices of the Commission, 180 East Broad

Street, 12th floor, Legal Conference Room 1247, Columbus, Ohio 43215-3793.

- (5) The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. Therefore, the parties should bring with them all documents relevant to this matter. Specifically, the complainant should bring copies of the bills received and evidence of payments, and Ohio Edison should bring all relevant information relating to the complainant's account.
- (6) An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.
- (7) If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

It is, therefore,

ORDERED, That Ohio Edison's motion to file its answer instanter be granted. It is, further,

ORDERED, That a settlement conference be scheduled for Tuesday, October 13, 2009, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 12th floor, Legal Conference Room 1247, Columbus, Ohio 43215-3793. It is, further,

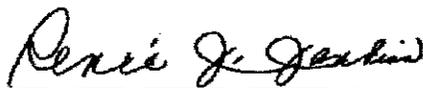
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Katie L. Stenman
Attorney Examiner

grg/dah

Entered in the Journal
SEP 28 2009



Renee J. Jenkins
Secretary