

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 filed a complaint against Ohio Edison Company (Ohio Edison), alleging that Ohio Edison has not accurately billed him for his electricity usage.
- (2) 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.
- (3) A settlement conference was held on November 9, 2009; however, the parties were unable to resolve the matter.
- (4) The attorney examiner finds that reasonable grounds for complaint have been stated. Accordingly, this matter should be scheduled for a hearing on Tuesday, January 19, 2010, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, Hearing Room 11C, Columbus, Ohio 43215-3793.
- (5) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

- (6) In complaint proceedings, the burden of proof rests with the complainant. Therefore, at the hearing, it shall be Mr. Gattrell's responsibility to appear and be prepared to present evidence in support of the complaint.

It is, therefore,

ORDERED, That the hearing be scheduled in accordance with Finding (4). It is, further,

ORDERED, That any party intending to present expert testimony comply with Finding (5). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

Katie L. Stenman  
 By: Katie L. Stenman  
 Attorney Examiner

*RSJ*  
/dah

Entered in the Journal

NOV 25 2009

Renee J. Jenkins

Renee J. Jenkins  
Secretary