

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Charles F. Carr,)
Complainant,)
v.) Case No. 09-864-EL-CSS
Toledo Edison Company,)
Respondent.)

ENTRY

The attorney examiner finds:

- (1) On September 25, 2009, Charles F. Carr (complainant) filed a complaint against Toledo Edison Company (TE), questioning his electric service and the rate at which he is charged. Specifically, complainant states that he is billed as a non-residential consumer for a single pump, which drains a 40 acre agricultural field. Complainant asserts that he should not be billed as a non-residential consumer for his agricultural electric use. Complainant requests that he be billed at a residential rate or, in the alternative, that TE establish a separate agricultural rate schedule.
- (2) On October 15, 2009, TE filed its answer to the complaint, as well as a motion to dismiss, denying the allegations in the complaint, and stating that TE has not violated any rule, regulation, or tariff provision. TE also asserts that the complainant has failed to set forth reasonable grounds for the complaint.
- (3) By entry filed on November 13, 2009, this matter was set for a settlement conference on December 7, 2009, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 12th Floor, Room 1247, Columbus, Ohio 43215-3793.
- (4) By letter filed on December 1, 2009, complainant expressed his desire to withdraw his complaint. In light of the complainant's

request, the December 7, 2009 settlement conference should be held in abeyance pending the consideration of the request.

It is, therefore,

ORDERED, That the settlement conference currently scheduled for December 7, 2009, be held in abeyance pending consideration of the complainant's request to withdraw his complaint. 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

/dah ⁷²⁰

Entered in the Journal

~~DEC 01 2009~~

Renee J. Jenkins

Renee J. Jenkins
Secretary