

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Forest )  
Hills Supermarket, Inc. dba Konnis )  
Family Foods, )  
 )  
Complainant, )  
 )  
v. ) Case No. 09-800-EL-CSS  
 )  
The Cleveland Electric Illuminating )  
Company, )  
 )  
Respondent. )

ENTRY

The attorney examiner finds:

- (1) On September 14, 2009, Forest Hills Supermarket, Inc., dba Konnis Family Foods (complainant) filed a complaint against The Cleveland Electric Illuminating Company (CEI), alleging that, after a power loss in the surrounding area not affecting the complainant, CEI improperly shut off complainant's power, without notice, resulting in a loss of refrigerated items.
- (2) On October 5, 2009, CEI filed its answer to the complaint, as well as a motion to dismiss, denying the allegations in the complaint and stating that CEI has not violated any rule, regulation, or tariff provision.
- (3) By entry issued on March 16, 2010, this matter was set for a prehearing conference on May 27, 2010, and a hearing on June 10, 2010.
- (4) On May 26, 2010, the parties informed the attorney examiner that they have reached a settlement of this matter and will be filing a motion to dismiss. In light of the parties' representation, the May 27, 2010, prehearing and the June 10, 2010, hearing should be held in abeyance.

It is, therefore,

ORDERED, That the May 27, 2010, prehearing and the June 10, 2010 hearing should be held in abeyance. 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

*Jeg*  
/sc

Entered in the Journal

MAY 27 2010

*Renee J. Jenkins*

Renee J. Jenkins  
Secretary