

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of            )  
Michael Todd Dawson,                            )  
  Complainant,                                    )  
  )  
  v.    )  
  )  
Duke Energy Ohio, Inc.,                        )  
  )  
  Respondent.                                        )

Case No. 09-1081-GE-CSS

ENTRY

The attorney examiner finds:

- (1) On November 9, 2009, Michael Todd Dawson (complainant) filed a complaint against Duke Energy Ohio, Inc. (Duke) questioning his natural gas and electric service rates and the manner in which those services are metered. Specifically, complainant questions Duke's billing for natural gas and electric services for the common areas of two buildings that contain rental properties.
- (2) On November 30, 2009, Duke filed its answer to the complaint, as well as a motion to dismiss, denying the allegations in the complaint, and stating that Duke has not violated any rule, regulation, or tariff provision. Duke also asserts that the complainant has failed to set forth reasonable grounds for the complaint.
- (3) By entry issued July 8, 2010, the attorney examiner found that reasonable grounds for complaint had been stated. A hearing was scheduled in this case to commence on September 16, 2010.
- (4) On September 10, 2010, Duke filed a motion requesting a continuance of the hearing. In its motion, Duke states that it is unprepared to go forward with its case due to a clerical and scheduling error; and moreover, counsel will be out of town on September 16, 2010.
- (5) The attorney examiner finds that Duke's request for continuance is reasonable and that the continuance should be granted. In conjunction with this finding, the hearing should be rescheduled to

commence on October 29, 2010, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, hearing room 11-C, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That the motion for a continuance of the hearing be granted. It is, further,

ORDERED, That the hearing be rescheduled in accordance 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

*ged*  
/dah

Entered in the Journal

SEP 15 2010

*Renee J. Jenkins*

Renee J. Jenkins  
Secretary