

**Dinsmore & Shohl LLP**  
ATTORNEYS

Jan H. Steinhilber  
513-977-8168  
jan.steinhilber@dinslaw.com

3  
**RECEIVED**

SEP 30 2010

Office of Chairman  
P.U.C.O.

10-503  
September 29, 2010

Alan R. Schriber, Chairman  
Public Utilities Commission of Ohio  
180 E. Broad Street  
Columbus, OH 43215-3793

Re: Account Number 9040-0549-23-0

Dear Mr. Schriber:

As legal counsel for Dr. Joshua Farber, please be advised I am requesting a complete explanation and accounting with regard to amounts charged to Dr. Farber's account with Duke Energy ("Duke") for purported electric usage. To date, Dr. Farber has yet to be informed of facts substantiating Duke's estimated, actual, and pro-rated billing for Kw usage that is anywhere from between five and twelve times the amount of electric usage recorded for the same months of the preceding year. Specifically, an investigation as to the ultimate amount billed to Dr. Farber for electric usage during November 2009 through the present must be conducted and any amounts charged in error reimbursed to his account.

Briefly, last April, the meter at Dr. Farber's residence was noted to be "burnt" by Duke meter reader Jeff Frietch. The meter was replaced and thereafter, Dr. Farber received a cursory letter from Duke stating the burnt meter tested within certain accuracy guidelines. In a series of steps involving both estimated and actual usage, Duke then re-billed the account and ultimately charged exorbitant pro rata amounts to Dr. Farber's account. For example, Kw usage in January 2009 was 1,969 versus Kw usage in January 2010 for an estimated or actual amount of either 24,741 or 11,746. Either number is incomprehensible. Before paying such excessive charges, Dr. Farber made numerous inquiries to no avail. Instead, Duke sent a final disconnection notice to Dr. Farber dated July 7, 2010. He then requested that I handle this matter.

I have contacted numerous Duke representatives for an explanation as to the alleged increase of electric usage after the meter was tested and replaced. To date, I have not received one. And no one was able to connect me with Duke's Meter

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician On

Date Processed 10-8-2010

255 East Fifth Street, Suite 1900 Cincinnati, OH 45202  
513.977.8200 513.977.8141 fax www.dinslaw.com

Alan R. Schriber, Chairman  
September 29, 2010  
Page 2

Operations located at 424 Gest Street or J.R. Rainear, the author of the letter about the testing of the burnt electric meter. A copy of the letter Dr. Farber received from J.R. Rainear is enclosed.

On September 21, 2010, I met with a Duke representative at 644 Lind Street. I was informed there was no one there with whom I could discuss this matter. I next contacted the Public Utilities Commission of Ohio and registered a complaint on 9/22/2010 with a PUCO representative. Instructed to call a management hotline number, I left a message and was contacted by a management representative on 9/22/2010. I explained the excessive charges and the replacement of the damaged meter and was assured a response would be forthcoming within two days. During this conversation, yet another set of estimated amounts for certain months between November 2009 through March 2010 was provided to me. I have not received the promised response, despite leaving another message.

This request warrants your immediate attention. Accordingly, please provide a complete accounting of electric charges for Kw usage during the months of November 2009 through the present, including the method of calculation and factual documentation for the estimated, actual, and pro rated amounts of Kw usage charged to account number 9040-0549-23-0 for 6735 Hidden Hills Dr., Cincinnati, Ohio 45230. Overbilled amounts should be reimbursed accordingly and all charges substantiated and verified.

Thank you in advance for your prompt response. I look forward to hearing from you.

Sincerely,



Jan H. Steinher

JHS  
Enclosure

c: Dr. Joshua Farber



DUKE ENERGY  
Meter Operations  
424 Gest St.  
Cincinnati, Oh 45203

April 28, 2010

Mr. Joshua Farber  
6735 Hidden Hills Dr.  
Watch Hill, Ohio 45230

Subject: Test of Electric Meter at 6735 Hidden Hills Dr.

Dear Mr. Farber:

At your request, we conducted accuracy testing on the electric meter located at 6735 Hidden Hills Dr. on April 26, 2010.

The Public Utilities Commission of Ohio regulations state that any electric meter which tests between 98 percent and 102 percent is considered accurate.

Based on the test results below, your meter did register within the Commission guidelines for accuracy. The results are provided for "full load," which simulates when you are using a lot of electricity in your home, and for light load, which is similar to when most of your appliances are turned off. The average value is also provided for your information.

Meter number: 35426951

99.28 percent proof on a full load  
99.52 percent proof on a light load  
99.40 percent proof on average

If you need additional assistance please contact us toll free at 1-800-544-6900.

At Duke Energy, we value you as a customer and appreciate the opportunity to serve you.

Sincerely,

J.R. Rainear  
Meter Operations