BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO COMMISSION

PAUL J. MAHOLTZ, JR.,

Complainant,

Case No. 10-1411-GA-CSS

v.

DOMINION EAST OHIO et. al.,

Respondents.

ANSWER

Pursuant to Rule 4901-9-01(D), Ohio Administrative Code ("O.A.C."), Respondent The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO"), for its Answer to the Complaint of Paul J. Maholtz, Jr. ("Complainant"): ¹

FIRST DEFENSE

- 1. DEO admits that Complainant has an account for service at 9 Blueberry Lane, SW, Warren, Ohio 44485-4205 (the "Account"). DEO avers that Complainant is being billed by DEO for bona fide, valid and authorized charges, that all meter readings are correct, and avers that all bills sent to Complainant by DEO for the Account speak for themselves and denies any mischaracterization or incorrect statement regarding the contents of any bills sent to Complainant by DEO.
- 2. DEO denies generally any allegations not specifically admitted in this Answer, pursuant to Rule 4901-9-01(D), O.A.C.

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¹ Although Complainant did not present his allegations in individually-numbered paragraphs, DEO hereby responds to the allegations in paragraph form. As noted in paragraph 2, any allegation not specifically admitted or denied herein is denied.

SECOND DEFENSE

3. The Complaint fails to set forth reasonable grounds for complaint, as required by R.C. § 4905.26.

THIRD DEFENSE

4. DEO at all times complied with Ohio Revised Code Title 49; the applicable rules, regulations and orders of the Public Utilities Commission of Ohio; and DEO's tariffs. These statutes, rules, regulations, orders and tariff provisions bar Complainant's claims.

FOURTH DEFENSE

5. The Complaint does not comply with the Commission's minimum standards for acceptable complaints. Specifically, the Complaint does not contain "a statement which clearly explains the facts which constitute the basis of the complaint," nor does it contain "a statement of the relief sought," as required by Rule 4901-19-01(B), O.A.C.

FIFTH DEFENSE

6. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, DEO respectfully requests an Order dismissing the Complaint and granting DEO all other necessary and proper relief.

Respectfully submitted,

Mark A. Whitt (Counsel of Record)

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Attorneys for Respondent The East Ohio Gas Company d/b/a Dominion East Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by ordinary U.S. mail, postage prepaid, to the following persons on this 13th day of October, 2010:

Paul J. Maholtz, Jr. 9 Blueberry Lane SW Warren, Ohio 44485-4205

One of the Attorneys for Respondent The

East Ohio Gas Company d/b/a Dominion East Ohio

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