

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,



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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:

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One of the Attorneys for Respondent The
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