

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Paul J. Maholtz, Jr.,)	
)	
Complainant,)	
v.)	Case No. 10-1411-EL-CSS
)	
The East Ohio Gas Company d/b/a)	
Dominion East Ohio,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On September 22, 2010, Paul J. Maholtz, Jr. (Mr. Maholtz or complainant) filed a complaint against The East Ohio Gas Company d/b/a Dominion East Ohio (Dominion East or respondent).

Based on a review of the complaint, it appears as though Mr. Maholtz alleges that Dominion East has overcharged him for some period of time due to incorrect meter readings.

- (2) On October 13, 2010, Dominion East filed its answer and delineated its affirmative defenses.
- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. In accordance with Rule 4901-1-26, Ohio Administrative Code, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement discussion. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

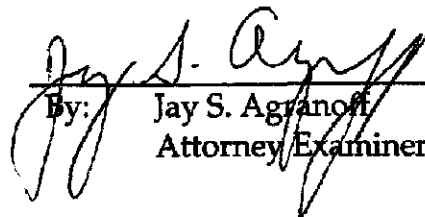
- (4) Accordingly, a settlement conference shall be scheduled for November 22, 2010, at 1:30 p.m. at the offices of the Commission, 180 East Broad Street, Hearing Room 11-C, Columbus, Ohio, 43215-3793. The parties should bring all relevant documents to the conference.
- (5) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint, (or the respondent with respect to its counterclaim). *Grossman v. Public Util. Comm.* (1966), 5 Ohio St.2d 189.

It is, therefore,

ORDERED, That a settlement conference be scheduled in accordance with Finding (4). It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jay S. Agranoff
Attorney/Examiner

/dah^{PSD}

Entered in the Journal **OCT 22 2010**



Renee J. Jenkins
Secretary