

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

East End Neighborhood House,)	
)	
Complainant,)	
)	
v.)	Case No. 10-2378-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On October 18, 2010, East End Neighborhood House (complainant) filed a complaint against The Cleveland Electric Illuminating Company (CEI), alleging that CEI improperly seeks to collect \$28,357.72 from complainant based on inaccurate bills dating back to May 19, 2005.
- (2) On November 8, 2010, CEI filed a response, stating that the parties had reached a mutual agreement to resolve the issues raised in the complaint and requesting that this case be dismissed. In its response, which was served upon complainant, CEI included a statement advising complainant that complainant needed to file a response indicating that it disagreed with the representation that the parties had resolved the dispute within twenty days or else the Commission could presume that the settlement had occurred and dismiss the complaint.
- (3) Rule 4901-9-01(F), Ohio Administrative Code (O.A.C.), states that, when a utility makes a filing that asserts that a complaint has been settled, the complainant has twenty days to file a written response, indicating whether the complainant agrees or disagrees with the utility's assertions and whether the complainant wishes to pursue the complaint. Rule 4901-9-01(F), O.A.C., also provides that, if no response is filed within the prescribed period of time, the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint. In addition, the rule requires that the utility's

filing include a statement notifying the complainant about the twenty day response period and informing the complainant that the complaint may be dismissed if no response is filed.

- (4) The complainant in this case has filed no response to CEI's request to dismiss. Therefore, the Commission presumes that the case is settled and that, in light of the resolution of the complaint, this case should be dismissed.

It is, therefore,

ORDERED, That Case No. 10-2378-EL-CSS be dismissed. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

Alan R. Schriber, Chairman

Paul A. Centolella

Valerie A. Lemmie

Steven D. Lesser

Cheryl L. Roberto

HPG/sc

Entered in the Journal

DEC 15 2010

Renee J. Jenkins
Secretary