

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Cheng-Te Lin,)	
)	
Complainant,)	
)	
v.)	Case No. 10-2538-EL-CSS
)	Case No. 10-2539-PL-CSS
American Electric Power, Northwestern Ohio Pipeline Construction, Inc., and The East Ohio Gas Company dba Dominion East Ohio,)	Case No. 10-2540-GA-CSS
)	
Respondents.)	

ENTRY

The Commission finds:

- (1) On November 8, 2010, Dr. Cheng-Te Lin (complainant) filed complaints against American Electric Power (AEP), Northwestern Ohio Pipeline Construction, Inc., (Northwestern), and The East Ohio Gas Company dba Dominion East Ohio (Dominion) (respondents). In the complaints, Dr. Lin alleges that Dominion sent Northwestern to his residential property to replace a gas pipe line. During the excavation process, Northwestern struck and damaged an underground power cable. Upon the recommendation of AEP, Dr. Lin hired a private electric company, Sidney Electric, to repair the cable. Sidney Electric charged \$5,298.00 to do the repairs.

According to the complaints, initially, all respondents denied responsibility for the damage. Northwestern refused to compensate the complainant because it claimed that AEP did not mark the location of the underground cable. AEP denied liability because Ohio Utility Protection Service was obligated to mark only public areas. Dominion argued that Northwestern is liable because it damaged the cable during excavation.

- (2) In his complaints, Dr. Lin states that all respondents must be parties to this action. He believes that Dominion is liable because it initiated the project. Northwestern is liable because it struck the cable. Dr. Lin contends that AEP is needed to resolve the dispute between AEP and Northwestern concerning the marking of utility lines. For a remedy, Dr. Lin seeks payment of \$5,298.00 for the services rendered by Sidney Electric.
- (3) All respondents filed answers. AEP filed an answer on November 15, 2010. Northwestern filed an answer on November 24, 2010. Dominion filed an answer on November 29, 2010. AEP and Dominion denied liability. Northwestern, for its answer, alleged that AEP is responsible for the damage to the cable because it had placed an unmarked meter 200 yards from the complainant's residence. Notwithstanding its claim that AEP is at fault, Northwestern states in its answer that it paid Sidney Electric \$5,298.00 to cover the cost of repairs to the complainant's cable. Northwestern believes that it should be reimbursed the sum of \$5,298.00 by AEP.
- (4) On January 5, 2011, the attorney examiner contacted the complainant by telephone and determined that the payment by Northwestern to Sidney Electric resolves the issues and satisfies the complaints.
- (5) Upon being informed that Northwestern has paid for the damages that gave rise to the complaints and that the complainant no longer wishes to pursue these matters, the Commission finds that the complaints should be dismissed.

It is, therefore,

ORDERED, That, in accordance with finding (5), the complaints filed in these matters be dismissed. It is, further,

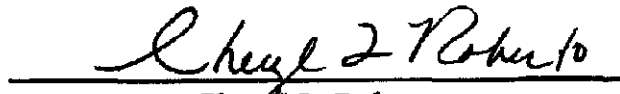
ORDERED, That copies of this entry be served upon on all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Steven D. Lesser, Chairman

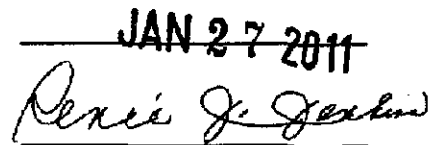

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Entered in the Journal

JAN 27 2011


Reneé J. Jenkins
Secretary