

THE PUBLIC UTILITIES COMMISSION OF OHIO

Respondent.

Case No. 11-2350-GE-CSS

ENTRY

The attorney examiner finds:

- (1) On April 7, 2011, Kathryn Franklin (complainant) filed a complaint against Duke Energy Ohio, Inc. (Duke) alleging that Duke continued to bill her for electric and/or gas usage after she moved out of her apartment in Oxford, Ohio and notified Duke that the utilities should be taken out of her name. Complainant did not discover that Duke continued billing her until she was contacted by a debt collector. Despite numerous attempts to contact her former apartment complex and Duke, complainant has been unable to resolve the disputed charges and requests that the Commission order Duke to remove these charges from her account, give notice to all of the credit reporting agencies notifying them of the mistaken charges, and compensate complainant for the time she has spent trying to resolve this issue. Complainant also requests punitive damages.
- (2) On April 27, 2011, Duke filed its answer to the complaint, stating that complainant did not notify Duke when she moved out of her apartment to have utility service disconnected. Therefore, Duke avers that complainant has failed to assert reasonable grounds for complaint. Further, Duke argues that, at all relevant times, it has provided reasonable and adequate service.

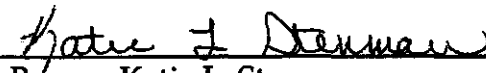
- (3) On May 18, 2011, Duke filed correspondence requesting that the May 23, 2011, settlement conference in this case be rescheduled to May 24, 2011, and indicating that the complainant consents to the new date. The next day, on May 19, 2011, prior to the issuance of a ruling on the request to reschedule the prehearing, Duke filed correspondence in the docket indicating that the parties have settled all of the issues in the case and expect to file a joint motion to dismiss in the near future. Accordingly, Duke requests that the May 24, 2011, settlement conference be canceled.
- (4) In light of Duke's May 19, 2011, correspondence, Duke's initial request to reschedule the prehearing is moot. Accordingly, the attorney examiner finds that the May 23, 2011, settlement conference should be held in abeyance pending the filing and Commission consideration of a joint motion to dismiss.

It is, therefore,

ORDERED, That the settlement conference currently scheduled for May 23, 2011, be held in abeyance. It is, further,

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

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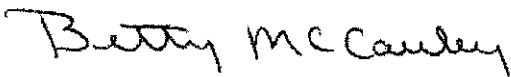


By: Katie L. Stenman
Attorney Examiner

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Entered in the Journal

MAY 23 2011



Betty McCauley
Secretary