

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

| | | |
|-----------------------------------|---|-------------------------|
| In the Matter of the Complaint of |) | |
| Timothy B. Duple, Sr., |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | Case No. 10-1012-EL-CSS |
| |) | |
| Ohio Edison Company, |) | |
| |) | |
| Respondent. |) | |

ENTRY

The attorney examiner finds:

- (1) On July 22, 2010, Timothy B. Duple, Sr. (Mr. Duple, or the complainant) filed a complaint against Ohio Edison Company (Ohio Edison, or the respondent). Mr. Duple alleges, among other things, that the respondent has improperly charged for electric service on an account relating to a property at 275 Front Street, Leetonia, Ohio, and has wrongfully threatened to terminate service on the account.
- (2) On August 12, 2010, Ohio Edison filed its answer to the complaint. Ohio Edison maintains that, even after the account was re-billed under a residential tariff rather than a commercial tariff, and credits for amounts already paid were issued to the customer, an outstanding balance is still due on the account.
- (3) A settlement conference was scheduled and held on January 20, 2011. However, at the conference, the parties were unable to settle the case. The attorney examiner finds that reasonable grounds for complaint have been stated and that a hearing in this matter should be held.
- (4) Accordingly, a hearing is scheduled for July 19, 2011, at 10:00 a.m., in Hearing Room 11C, on the 11th Floor of the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793.

- (5) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.
- (6) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.* (1966), 5 Ohio St.2d 198.


It is, therefore,

ORDERED, That a hearing be scheduled as indicated in Finding (4). It is, further,


ORDERED, That any party intending to present direct, expert testimony comply with Finding (5). It is, further,

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

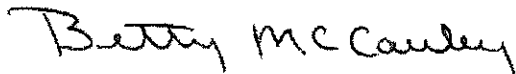
THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Daniel E. Fullin
Attorney Examiner


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Entered in the Journal
JUN 01 2011



Betty McCauley
Secretary