

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

|  |   |                         |
|--|---|-------------------------|
| In the Matter of the Complaint of Lake | ) |                         |
| Mohawk Property Owners Association,    | ) |                         |
|  | ) |                         |
| Complainant,                           | ) |                         |
|  | ) |                         |
| v.                                     | ) | Case No. 10-1028-WW-CSS |
|  | ) |                         |
| Mohawk Utilities, Inc.,                | ) |                         |
|  | ) |                         |
| Respondent.                            | ) |                         |

ENTRY

The Commission finds:

- (1) On July 26, 2010, Lake Mohawk Property Owners Association (the Association) filed a complaint against Mohawk Utilities, Inc. (the Company). In the complaint, the Association alleged that water service pressure to its property reached 135 pounds per square inch (psi), which exceeds the limit established by the Commission's rules.<sup>1</sup> The Association further alleged that the Company refused to replace a pressure reducing valve to comply with the Commission's rules. The Association asserted that the Company, as a public utility, was responsible for replacing the valve. Ultimately, the Association installed a valve at its own expense. The Association demanded compensation from the Company.
- (2) In a letter filed August 16, 2010, the Company stated that it replaced the valve at the curb stop pit on "September 22, 2010."<sup>2</sup> The Company further alleged that it was not responsible for the costs that the Association incurred to install a valve.
- (3) On September 23, 2010, the Association filed a letter requesting that its complaint be dismissed. The Association explained that

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<sup>1</sup> Rule 4901:1-15-20(C)(4), Ohio Administrative Code.

<sup>2</sup> September 22, 2010, must be incorrect. The Company must have installed the water pressure valve prior to the date of the Company's letter (August 16, 2010).

it wished to dismiss the complaint because the cost of traveling to Columbus would exceed any benefit that could be obtained through negotiation or litigation.

- (4) In its letter, the Association acknowledged that the Company replaced a valve to reduce water pressure. The Association emphasized, however, that it corrected the problem at its own expense prior to the Company's replacement of the valve. The Association provided a copy of an invoice for the work. The Association argued that it was entitled to the sum of \$111.05, consisting of \$71.75 plus tax for the valve and labor costs of \$35.00 per hour.
- (5) After further negotiation at the direction of the Commission, the Association filed a letter on May 3, 2011, in which it requested that the complaint be dismissed.
- (6) Finding the Association's request to dismiss the complaint to be reasonable, the complaint should be dismissed.

It is, therefore,

ORDERED, That, pursuant to the request of the complainant, the complaint be dismissed. It is, further,

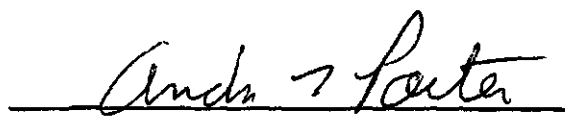
ORDERED, That copies of this entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Snitchler, Chairman

  
Paul A. Centolella


  
Steven D. Lesser

  
Andre T. Porter

  
Cheryl L. Roberto

LDJ/vrm

Entered in the Journal  
**JUN 08 2011**

  
Betty McCauley  
Secretary