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July 14, 2011

Public Utilities Commission of Ohio  
Docketing Division  
180 East Broad Street  
Columbus, Ohio 43215-3793

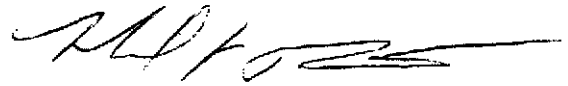
RECEIVED-DOCKETING DIV  
2011 JUL 18 PM 12:46  
PUCO

**Re: Richard Collins/ Dominion East Ohio**  
**CASE ID: RCOL0510113P**

To Whom It May Concern:

Please be advised that the undersigned represents Richard Collins in relation to his filing of a formal Complaint against Dominion East Ohio in relation to gas usage at 2896 East 111<sup>th</sup> Street, Cleveland, Ohio 44137. Please find the enclosed original and ten (10) copies of his Complaint and feel free to contact the undersigned to discuss this matter.

Very Truly Yours,



Michael K. Webster

encl.

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# Public Utilities Commission

Case Number

Public Utilities Commission of Ohio  
Attn: Docketing  
180 E. Broad St.  
Columbus, OH 43215

## Formal Complaint Form

Richard Collins  
Customer Name (Please Print)

18709 Harlan Drive  
Customer Address  
Maple Heights OH 44137  
City State Zip

### Against


Dominion East Ohio  
Utility Company Name

Account Number  
2896 E. 111<sup>th</sup> St.  
Customer Service Address (if different from above)  
Cleveland OH 44137  
City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

*See attached*

On behalf of Richard Collins:  
Attorney Michael K. Webster  
(216) 274-0540

 / Attorney on behalf of  
Signature Richard Collins  
(216) 274-0540  
Customer Telephone Number  
Attorney

**PUCO Complaint Against Dominion East Ohio on behalf of Richard Collins**

1. Complainant, Richard Collins ("Collins"), resides at 18709 Harlan Drive, Maple Heights, Ohio 44137.

2. Collins is the owner of the property located at 2896 East 111<sup>th</sup> Street, Cleveland, Ohio 44104 (the "Rental Property").

3. The Rental Property is sectioned into four rental units designated by Dominion East Ohio as DF unit, DR unit, UF unit, and UR unit (collectively the "Rental Units").

4. Dominion East Ohio ("Dominion") is a public utility supplying natural gas service to the Rental Property and to Collins' personal residence.

5. Collins acted as landlord at the Rental Property to various tenants residing at any of the four rental units at various times. Tenants at the Rental Property would enter into lease agreements with Collins before taking possession of a given unit.

6. Collins has never resided at the Rental Property, and therefore never benefited from gas usage at the Rental Property. Collins has never received payments from tenants allocated for gas service.

7. Each of the four Rental Units were metered separately by Dominion.

8. Collins instructed each and every tenant at the Rental Property to place Dominion service in their own names for purposes of supplying their respective Rental Units with gas service. Each tenant at the Rental Property abided by those instructions and placed gas service in their own names.

9. According to Dominion, service was turned off at each of the units at various points in time for non-payment at units DR, UF, and UR; and at the tenant's request at unit DF. Dominion failed to notify Collins that gas service was disconnected at any units, therefore Collins was unaware that future usage by his tenants would be unauthorized. Collins therefore had no reason to monitor any gas usage at the Rental Property.

10. While the various tenants' leases with Collins had expired at the time of the gas usage, those tenants remained at the Rental Property as holdover tenants. Some tenants were paying rent on a month-to-month basis and some tenants were behind on rent to Collins.

11. At no point in time did Collins request service to be turned back on at any of the units. Collins had no knowledge that gas usage at the Rental Property was unwarranted, and therefore Collins was in no position to make efforts to prevent such usage. Had Dominion informed Collins that gas service had been turned off to each of

the units and had Dominion informed Collins that any future usage would be his responsibility, then Collins would have made efforts to prevent such usage.

12. Dominion allowed gas usage at DF unit for 9 months before turning off service and later removing the meter at landlord's request.

13. Dominion allowed gas usage at DR unit for 5 months before turning off service and later removing the meter at landlord's request.

14. Dominion allowed gas usage at UF unit for 6 months before turning off service and later removing the meter at landlord's request.

15. Dominion allowed gas usage at UR unit for 9 months before turning off service and later removing the meter at landlord's request.

16. Dominion knew that gas was being used at the Rental Property units for several months before rectifying the problem by turning off service. Dominion had a duty to mitigate usage by turning off gas service immediately after gas usage began.

17. Tenants at each of the four addresses ran up gas bills totaling \$1,408.81 at DF unit, \$745.04 for DR unit, \$716.57 for UF unit, and \$301.16 for UR unit. Total bills from all four tenants amounted to \$3,171.58. Dominion is attempting to burden Collins with the total bill for all four units despite the fact that Collins did not benefit from the gas usage, nor was he in a position to mitigate usage because Collins was unaware that gas usage was unwarranted.

18. Dominion has added the gas usage bills from the four units at the Rental Property to the gas bill for Collins' personal residence.

19. Dominion should be ordered to remove the Rental Property gas usage bills from Collins' residence and a determination should be made that Collins is not responsible for the same.

Respectfully submitted,



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Attorney for Richard Collins