

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Daniel	)	
K. Ellison and Kimberly Dot Ellison,	)	
	)	
Complainants,	)	
	)	
v.	)	Case No. 11-4895-GA-CSS
	)	
The East Ohio Gas Company d/b/a	)	
Dominion East Ohio,	)	
	)	
Respondent.	)	

ENTRY

The Commission finds:

- (1) On August 26, 2011, Daniel K. Ellison and Kimberly Dot Ellison (complainants) filed a complaint against The East Ohio Gas Company d/b/a/ Dominion East Ohio (DEO) alleging that, in May 2011, DEO inappropriately terminated complainants' gas service without notice. According to complainants, DEO is alleging that tampering has occurred with complainants' gas meter and DEO will not restore service until all owed sums are paid. Complainants state that they did not tamper with their meter. After DEO refused to restore service without full payment, complainants state that they contacted the Commission's customer call center (call center), but were not able to resolve their situation through the call center. Complainants allege that they did not receive adequate service from the call center. Complainants request that their natural gas service be restored and that they be reimbursed by DEO for their damages, losses, and other hardships caused by the disconnection of their natural gas service.
- (2) On September 19, 2011, DEO filed its answer to the complaint, stating that it terminated gas service to complainants' property on May 3, 2011, due to tampering. DEO also explains that it is requiring complainants to pay the outstanding balance on their account prior to reconnecting service. In addition, DEO asserts that complainants have failed to state reasonable grounds for complaint and that complainants are seeking monetary damages, which the

Commission is unable to grant. DEO states that, at all times, it has complied with all applicable statutes, rules, regulations, and tariffs. Finally, DEO avers that the Commission lacks jurisdiction over this matter.

- (3) Initially, the Commission would like to clarify the remedies available to a consumer who has a complaint as to service and recognize that the complainants are indeed following the proper procedure for handing their complaint against DEO. However, we find the filing of a complaint against the call center inappropriate. Rule 4901-9-01, Ohio Administrative Code (O.A.C.) provides that "any customer or consumer with a service or billing problem should first contact the public utility to attempt to resolve the problem." Second, if contacting the utility does not solve the problem, customers are encouraged to contact the call center prior to the filing of a formal complaint, to attempt to informally resolve the issue. Each year, the call center receives hundreds of thousands of contacts from customers. Many of these customers have a question that a representative can quickly handle. In other instances, issues require a closer examination and an investigator is assigned to look into the matter. These informal investigations saved Ohio consumers more than \$660,000 in 2010. However, the Commission recognizes that not all complaints can be handled informally, therefore, our rules provide for a formal complaint process. In the present case, complainants have attempted to utilize both informal remedies, contacting both DEO and the call center to resolve their complaint without achieving their desired outcome. Therefore, filing a formal complaint against DEO was the appropriate next step; attempting to join the call center in the complaint was not. A settlement conference with an attorney examiner from our legal department has been scheduled in this case, and, if settlement discussions are unsuccessful, a hearing will be held. After a hearing, complainants will receive a decision from the Commission. Accordingly, our rules recognize that not every customer concern can be remedied by contacting our call center and provide a process for when complaints cannot be resolved informally.
- (4) In considering complainants' attempt to join the call center as a respondent, the Commission is mindful of both the scope of our jurisdiction and the process provided for in our rules for the handling of consumer complainants. With respect to the scope of

our jurisdiction, Section 4905.26, Revised Code, provides that the Commission may hear complaints in writing against any public utility. As the call center is not "public utility" within the definition contained in Section 4905.02, Revised Code, the call center is not an appropriate respondent in this case. Accordingly, based on our statutorily defined jurisdiction, and our rules governing the processing of complaints, the complaint, as it pertains to the call center, should be dismissed.

It is, therefore,

ORDERED, That the complaint against the call center be dismissed. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Snitchler, Chairman

  
Paul A. Centolella

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Steven D. Lesser

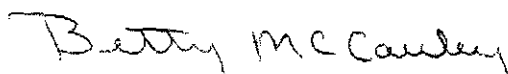
  
Andre T. Porter

  
Cheryl L. Roberto

KLS/ dah

Entered in the Journal

**OCT 08 2011**

  
Betty McCauley  
Secretary