

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Rosemont Realty LLC,)	
)	
Complainant,)	
)	
v.)	Case No. 11-4943-ST-CSS
)	
Woodbran Realty Corporation,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On September 2, 2011, Rosemont Realty LLC (Rosemont) filed a complaint and a request for emergency relief. Rosemont alleged in its complaint that Woodbran Realty Corporation (Woodbran), a sewage disposal company, threatened to discontinue sewer service to Orangewood Place. Orangewood Place is an 80-unit professional office building managed by Rosemont.
- (2) The dispute arose from Woodbran's detection of low levels of mercury being discharged into its sewage treatment facilities from Orangewood Place. In a letter dated August 31, 2011, Woodbran informed Rosemont that it would discontinue sanitary sewage services to Orangewood Place pursuant to the rates, rules, and regulations governing Woodbran's facility.
- (3) Rosemont challenged the threatened disconnection on various grounds, including failure to comply with disconnection notice requirements, failure to provide adequate legal grounds for disconnection, and failure to demonstrate just and reasonable grounds for disconnection. Because Woodbran notified Rosemont that it would discontinue service on September 6, 2011, Rosemont requested emergency relief.
- (4) On September 27, 2011, the parties jointly filed a motion to dismiss the complaint. The supporting memorandum explains that Woodbran's tariff allows disconnection of service with

24 hours advance notice if there is discharge of sewage of a type not specified in the application for service. The memorandum, however, states that Woodbran advised Rosemont that it would not proceed with the disconnection as scheduled. By letter dated September 26, 2011, Woodbran formally rescinded and withdrew the notice of disconnection. Declaring the complaint moot, the parties request that the Commission dismiss the complaint.

- (5) Being advised by the parties that the issue in this matter has been rendered moot, the Commission finds that the joint motion to dismiss is reasonable and should be granted.

It is, therefore,

ORDERED, That, in accordance with Finding (5), the complaint be dismissed. It is, further,

ORDERED, That a copy 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/sc

Entered in the Journal

OCT 12 2011



Betty McCauley
Secretary