

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of
Richard Collins,

Complainant,

v.

The East Ohio Gas Company d/b/a
Dominion East Ohio,

Respondent.

Case No. 11-4368-GA-CSS

ENTRY

The Commission finds:

- (1) On July 18, 2011, Richard Collins (Complainant) filed a complaint against The East Ohio Gas Company, d/b/a Dominion East Ohio (DEO). Complainant is the owner and landlord of a rental property consisting of four units, and he asserts that DEO improperly billed him for his tenants' unpaid gas bills. Complainant seeks a determination that he is not responsible for the tenants' unpaid gas bills, and requests that DEO be ordered to remove the tenants' gas bills from his personal residence account.
- (2) On August 8, 2011, DEO filed its answer to the complaint. In its answer, DEO admits that the tenants' unpaid gas bills were originally billed to Complainant's personal residential account, but have since been removed and established on an account in Complainant's name at the address of the rental property. DEO avers that Complainant, as landlord and property owner of the premises, is the consumer of gas when tampering and unauthorized usage occurs, and is responsible for payment pursuant to Rule 4901:1-18-03(E), Ohio Administrative Code (O.A.C).
- (3) A settlement conference was held on September 23, 2011; however, the parties were unable to settle this matter.
- (4) By entry issued November 1, 2011, this matter was scheduled for a hearing to commence on January 5, 2012.

- (5) On December 9, 2011, DEO filed a motion to dismiss and a motion to continue the hearing. By entry issued December 21, 2011, the attorney examiner granted DEO's request for a continuance of the hearing, ordered that the hearing be held in abeyance, and provided that Complainant had until December 29, 2011, to file a response to DEO's motion to dismiss pursuant to Rule 4901-9-01(F), O.A.C.
- (6) On December 28, 2011, Complainant filed a request for dismissal without prejudice.
- (7) The Commission finds that the Complainant's request for dismissal, without prejudice, is reasonable and should be granted.

It is, therefore,

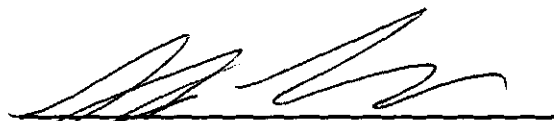
ORDERED, That the Complainant's request for dismissal is reasonable and that the complaint be dismissed without prejudice. It is, further,

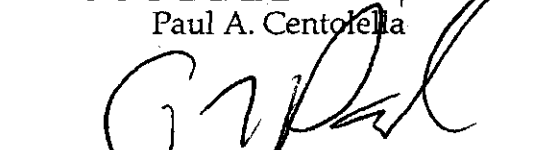
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Paul A. Centofella


Steven D. Lesser



Andre T. Porter


Cheryl L. Roberto

JJT/sc

Entered in the Journal

JAN 18 2012


Betty McCauley
Secretary