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June 26, 2012

12-1938-EL-CSS

**VIA FEDERAL EXPRESS**

Public Utilities Commission of Ohio  
Docketing Division  
180 E. Broad St.  
Columbus, Ohio 43215-3793

Re: *Cincinnati Dental Care-Parmeet S. Sohi, D.D.S., LLC*  
*v. Duke Energy Ohio*

Dear Sir/Madam:

Enclosed please find an original and 12 copies of the Formal Complaint with regard to the above-captioned matter. Please file the Complaint and return the time-stamped copies to me in the enclosed self-addressed stamped envelope.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

SANTEN & HUGHES

  
Deepak K. Desai

DKD/sla  
Enclosures

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**Formal Complaint Form**

Cincinnati Dental Care-Parneet S. Sohi, D.D.S.,  
LLC

Customer Name (Please Print)

4535 Montgomery Road

Customer Address

Norwood

City

OH

State

45212

Zip

**Against**

Account Number

Customer Service Address (if different from above)

Duke Energy Ohio

Utility Company Name

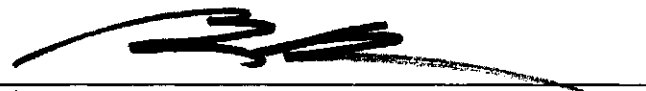
City

State

Zip

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

Please see the attached explanation.



Signature

513-721-4450

Customer Telephone Number

**STATE OF OHIO  
PUBLIC UTILITIES COMMISSION**

Cincinnati Dental Care-Parneet S. Sohi, D.D.S., LLC

vs.

Duke Energy Ohio

COMPLAINT

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For its Complaint against Duke Energy Ohio, Cincinnati Dental Care-Parneet S. Sohi, D.D.S., LLC, submits the following:

1. The legal owner of the subject property ("Property") is Sean S. Properties, LLC ("SSP"). The Complainant, Cincinnati Dental Care-Parneet S. Sohi, D.D.S., LLC ("CDC"), is a tenant at the Property pursuant to a lease with SSP.

2. As of July 29, 2011, there were two separate leasehold premises at the Property. One of those leasehold premises was occupied as of July 29, 2011 by Jackson Hewitt. The other was occupied by Cricket Communication ("Cricket"), and it remains unclear when they vacated the premises ("Premises").

3. Prior to July 29, 2011, Duke Energy Ohio, Inc. ("Duke"), provided service to both Jackson Hewitt and Cricket at the Property.

4. On or about July 29, 2011, Cricket contacted Duke and took service out of their name for the Premises. While Duke took service out of Cricket's name for the Premises, it failed to: (A) Disconnect service to the Premises; (B) Put service for the Premises in another customer's name; and (C) generate a bill for service provided to the Premises after July 29, 2011.

5. Duke failed to notify SSP, that service to the Premises, which had been in the name of Cricket for the previous five years, would be SSP's responsibility moving forward.

6. For the months of August, September, October, November and December of 2011, as well as January, February, and March of 2012, Duke continued to provide service to the Premises without a name on the account or ever generating a bill. During that time frame, some of the highest usage would be expected to occur. And what settings Cricket left the thermostat at for the Premises for that time period was of no concern to Duke as it continued to provide service to the Premises on an anonymous account and apparently without SSP's knowledge.

7. On or about April 1, 2012, CDC signed a Lease Agreement for the Premises ("Lease").

8. On or about April 6, 2012, CDC contacted Duke requesting that service to the Premises be placed in their name and that monthly bills be invoiced to them.

9. On April 10, 2012, CDC sent a facsimile correspondence to Duke enclosing the Lease, W-9, IRS Form 2553 – Election by a Small Business Corporation signed and dated May 11, 2011, and correspondence from the IRS dated March 22, 2011 indicating that CDC's Employer Identification Number is 45-0649856.

10. On April 13, 2012, without notice or concern for the impact on CDC's business operations, Duke representatives appeared at the Premises with the intent of disconnecting service thereto. At that moment, CDC had patients in the chairs, so CDC's representatives appealed to Duke's sense of humanity and implored them not to disconnect service while patients, many of whom are minor children, were in the middle of treatment. Duke's representatives reluctantly capitulated but promised they would be back later to disconnect service.

12. On April 16, 2012, Duke unilaterally disconnected service to the Premises. At that time, the only documented information Duke had was CDC's facsimile correspondence to it dated April 10, 2012.

13. Thereafter, CDC, through counsel, contacted the PUCO and registered an informal complaint, Case ID: BOCO0418121R.

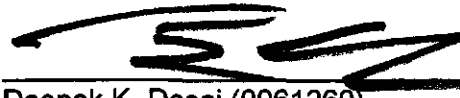
14. The matter was not resolved through the informal complaint process; however power remained on at the premises during the process.

15. On June 26, 2012, Duke again without notice appeared at the Premises with the intent of disconnecting service thereto solely on the basis of an alleged liability of some party other than CDC.

16. Based on the foregoing, it is clear that Duke failed to exercise due diligence when Cricket took its name off the account for the Premises on or about July 29, 2011. It is further evident that Duke would have continued to be oblivious to unbilled gas and electric usage at the Premises but for SSP or CDC's call regarding service to the Premises some nine months later.

17. CDC formally requests, pursuant to OAC 4901-9-01(D), that the Commission provide assistance to CDC to preclude Duke from terminating service to the Premises during the pendency of this complaint. If services are terminated, the pediatric dental patients serviced by CDC will be denied their dental care, and CDC's business will be irreparably harmed.

Respectfully submitted,



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*Attorneys for Complainant*