

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Shawn Anderson)	
3766 E. Mason Morrow Rd.)	
Morrow, Ohio 45152)	
)	
Complainant)	
)	
vs.)	Case No. 12-1994-EL-CSS
)	
Duke Energy Ohio, Inc.)	
)	
Respondent)	

ANSWER OF DUKE ENERGY OHIO, INC.

For its Answer to the Complaint of Shawn Anderson (Complainant), Duke Energy Ohio, Inc. (Duke Energy Ohio) states as follows:

1. Complainant's complaint is not in a form allowing for specific admission or denial as to individual allegations. Accordingly, Duke Energy Ohio generally denies the allegations set out therein.
2. In response to the allegations contained in the Complaint, Duke Energy Ohio further denies the allegation contained in the complaint that its actions were unjust, unreasonable, or otherwise in violation of any applicable law, regulation, Public Utilities Commission of Ohio (Commission) order, or of its Commission-approved tariffs.
3. Duke Energy Ohio denies that Claimant is entitled to a refund. Duke Energy Ohio is charging Plaintiff according to its Commission approved charges.

4. Duke Energy Ohio denies the remainder of the allegations not specifically addressed in this Answer.

AFFIRMATIVE DEFENSES

1. Duke Energy Ohio asserts as an affirmative defense that pursuant to R.C. 4905.26 and O.A.C. 4901-9-01-(B)(3), Complainant has failed to set forth reasonable grounds for complaint.
2. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, Duke Energy Ohio has provided reasonable and adequate service and has billed the Complainant according to all applicable provisions of Title 49 of the Ohio Revised Code and regulations promulgated thereunder, and in accordance with all of Duke Energy Ohio's filed tariffs.
3. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, the Company is acting in conformance with O.A.C. 4901:1-10-23 and R.C. 4933.28.
4. Duke Energy Ohio asserts as an affirmative defense that Complainant has not stated any request for relief that can be granted by this Commission.
5. Duke Energy Ohio asserts that to the extent Complainant is seeking monetary damages, such relief is beyond the scope of the jurisdiction of this Commission.
6. Duke Energy Ohio reserves the right to raise additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as may become necessary during the investigation and discovery of this matter.

CONCLUSION

WHEREFORE, having fully answered, Duke Energy Ohio respectfully moves this Commission to dismiss the Complaint of Shawn Anderson for failure to set forth reasonable grounds for the complaint and to deny Complainant's Request for Relief.

Respectfully Submitted,



Amy B. Spiller (0047277)
State Regulatory General Counsel
Elizabeth H. Watts (0031092)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer to the complaint of Shawn Anderson was served via regular US Mail postage prepaid, this 23rd day of July 2012, upon the following:

Shawn Anderson
3766 E. Mason Morrow Road
Morrow, Ohio 45152


Elizabeth H. Watts
Elizabeth H. Watts

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Case No(s). 12-1994-EL-CSS

Summary: Answer of Duke Energy Ohio, Inc. electronically filed by Dianne Kuhnell on behalf of Spiller, Amy B. and Watts, Elizabeth H. and Duke Energy Ohio, Inc.