

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)
Bobbie S. Maust,)
)
 Complainant,)
)
 v.) Case No. 12-1531-EL-CSS
)
 Border Energy Electric Service, Inc.)
)
 Respondent.)

ENTRY

The Commission finds:

- (1) On May 11, 2012, Bobbie S. Maust (complainant) filed a complaint against Border Energy Electric Service, Inc. (Border Energy), alleging that Border Energy has failed to explain its billing statement to the complainant. Border Energy filed its answer to the complaint on June 4, 2012.
- (2) The parties participated in a prehearing settlement conference that was held on June 25, 2012.
- (3) Under Rule 4901-9-01(F), Ohio Administrative Code (O.A.C.), upon the filing by a public utility of a correspondence indicating that a complaint has been settled, a complainant has twenty days to file a response. If no response is filed within that time, the Commission may presume that settlement has occurred and dismiss the complaint.
- (4) On June 28, 2012, Border Energy filed a letter asserting that the parties have resolved the complaint. The letter duly noted that, under the above-cited rule, the complainant would have twenty days to respond to this assertion, but indicated that if no such response was timely filed, the Commission should consider the company's letter as a request for dismissal of the case.

- (5) The Commission observes that the complainant did not respond within twenty days, or at all, to Border Energy's June 28, 2012, request to dismiss this case. Therefore, the Commission presumes that settlement has occurred, and Border Energy's June 28, 2012, request to dismiss shall be granted and the case dismissed with prejudice.

It is, therefore,

ORDERED, That Border Energy's request to dismiss is granted, and this case is dismissed with 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

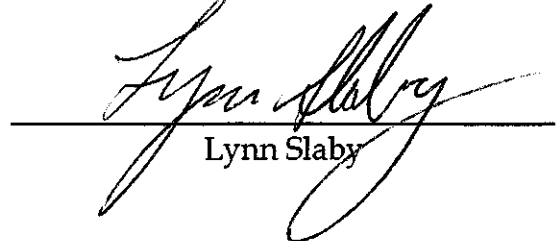


 Steven D. Lesser



 Andre T. Porter

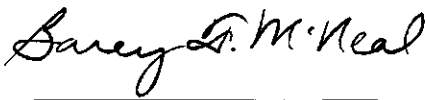
 Cheryl L. Roberto



 Lynn Slaby

DEF/sc

Entered in the Journal
AUG 15 2012



Barcy F. McNeal
Secretary