

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of M and M	)	
Steel, LLC,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 12-2447-EL-CSS
	)	
The Cleveland Electric Illuminating	)	
Company,	)	
	)	
Respondent.	)	

ENTRY

The Attorney Examiner finds:

- (1) On September 5, 2012, M and M Steel, LLC, (M&M) filed a formal complaint against the Cleveland Electric Illuminating Co. (CEI), alleging that CEI failed to transfer the account in a timely manner and that CEI seeks to hold M&M responsible for an unbilled service amount in excess of \$54,000. M&M denies responsibility for the unbilled service amount and asserts that any attempt to collect the unbilled service amount is in violation of law, unjust, and unreasonable.
- (2) On September 25, 2012, CEI filed its answer. CEI denies the material allegations set forth in the complaint, particularly that it failed to transfer the account in a timely manner and that attempts to collect the \$54,000 are in violation of law, unjust, and unreasonable. CEI asserts that the complaint fails to clearly explain the facts, that the complaint fails to set forth reasonable grounds for complaint, that the complaint fails to state a claim upon which relief can be granted, and that at all times CEI has complied with the Ohio Revised Code and the rules, regulations, and orders of the Public Utilities Commission of Ohio.
- (3) On October 2, 2012, a settlement conference was scheduled in this matter via attorney examiner entry. The settlement conference was scheduled for October 30, 2012.

- (4) On October 29, 2012, CEI filed a motion to continue the settlement conference on account of inclement weather. Counsel for the complainant supports the motion. The attorney examiner finds that the motion is reasonable and should be granted.
- (5) The attorney examiner finds that the settlement conference in this matter should be rescheduled for November 13, 2012, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 12<sup>th</sup> floor, Room 1247, Columbus, Ohio 43215-3793. If it becomes apparent that the parties are not likely to settle this matter, the parties should be prepared to discuss a procedural schedule to facilitate the timely and efficient processing of this complaint.

It is, therefore,

ORDERED, That CEI's motion to continue the settlement conference is granted in accordance with finding (4). It is, further,

ORDERED, That the settlement conference in this case be rescheduled in accordance with finding (5). It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**10/29/2012 3:58:10 PM**

**in**

**Case No(s). 12-2447-EL-CSS**

Summary: Attorney Examiner Entry granting CEI's motion to continue the settlement conference in accordance with finding (4) and ordering the settlement conference rescheduled in accordance with finding (5). - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio