

FILE

Before  
THE SUPREME COURT OF OHIO

The K & D Group, Inc. and Reserve  
Apartments, LTD

Appellant,

VS

The Public Utilities Commission  
of Ohio

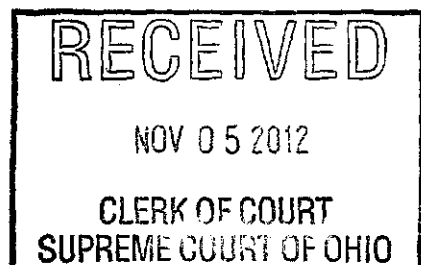
Appellee.

Supreme Court No. 12-1677

Being Before  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the complaint of The K & D  
Group, Inc. and Reserve Apartments vs.  
Cleveland Thermal Steam Distribution,  
LLC for alleged unfair and unjust billing  
practices.

Case No. 11-898-HT-CSS



## **INDEX AND DOCKET ENTRIES**

**ICN**

<u>2/18/2011</u>	In the matter of the complaint of The K&D Group, Inc. and Reserve Apartments vs Cleveland Thermal Steam Distribution, LLC for alleged unfair and unjust billing practices.	1
<u>2/22/2011</u>	Complaint service letter and copy of complaint mailed to: Linda Atkins, Cleveland Thermal Steam Distribution, LLC.	2
<u>2/22/2011</u>	Complaint response letter and copy of brochure mailed to: Mr. James F. Fang, complainant.	3
<u>3/1/2011</u>	Answer and affirmative defenses of Cleveland Thermal Steam Distribution, LLC, filed by G. Hummel.	4
<u>3/9/2011</u>	Entry ordering that the matter be scheduled for a settlement conference on April 13, 2011, at 10:00 a.m., at the offices of the Commission, 180 E. Broad Street, 12th floor, Hearing Room 1247, Columbus, Ohio 43215-3793.	5
<u>4/20/2011</u>	Entry ordered that the matter be scheduled for a settlement conference on September 8, 2011, at 10:00 a.m. at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-C, Columbus, Ohio 43215-3793. (MLW)	6
<u>4/27/2011</u>	Entry nunc pro tunc ordering that the matter be scheduled for a hearing on September 8, 2011, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793. (MLW)	7
<u>5/11/2011</u>	Motion to dismiss and memorandum in support filed by respondent, G. Hummel on behalf of Cleveland Thermal Steam Distribution, LLC.	8

<u>5/31/2011</u>	Memorandum of Complainant's opposition to respondent's motion to dismiss filed by J. Lang on behalf of The K&D Group, Inc. and Reserve Apartments, LTD.	9
<u>6/9/2011</u>	Reply to complainant's opposition to respondent's motion to dismiss and memorandum contra request for leave to file amended complaint filed by G. Hummel on behalf of Cleveland Thermal Steam Distribution, LLC.	10
<u>6/16/2011</u>	Entry ordering that K & D's motion for leave to file an amended complaint is granted and that in accordance with finding (7), Cleveland Thermal shall file an answer to the amended complaint within 20 days of the date of this entry. (MLW)	11
<u>7/5/2011</u>	Answer and affirmative defenses of Cleveland Thermal Steam Distribution, LLC to amend complaint filed by G. Hummel.	12
<u>7/15/2011</u>	Supplemental Motion to dismiss and memorandum in support filed by G. Hummel on behalf of Cleveland Thermal Steam Distribution, LLC.	13
<u>7/20/2011</u>	Amended complaint filed by L. McBride on behalf of The K&D Group, Inc. and Reserve Apartments, LTD.	14
<u>8/1/2011</u>	Complainants' opposition to respondents' supplemental motion to dismiss filed by L. McBride.	15
<u>8/9/2011</u>	Complainants' motion to continue hearing and motion to compel discovery and memorandum in support filed by L.C. McBride on behalf of The K&D Group Inc. and Reserve Apartments, LTD.	16
<u>8/11/2011</u>	Reply to memorandum contra supplemental motion to dismiss filed by G. Hummel on behalf of Cleveland Thermal Steam Distribution, LLC.	17
<u>8/16/2011</u>	Entry ordering that K&D's motion to continue the September 8 2011, hearing is granted. (MLW)	18

<u>8/23/2011</u>	Memorandum contra motion to compel filed by S. Elisar on behalf of Cleveland Thermal Steam Distribution, LLC.	19
<u>5/30/2012</u>	Entry ordering that Cleveland Thermal's motion to dismiss the complaint is granted and this case be dismissed.	20
<u>6/29/2012</u>	Application for Rehearing of the Commission's May 30, 2012 Entry electronically filed by Ms. Laura C. McBride on behalf of The K&D Group, Inc. and Reserve Apartments, LTD.	21
<u>7/2/2012</u>	Motion and Memorandum in support of Cleveland Thermal Steam Distribution's for Extension of Time electronically filed by Ms. Vicki L. Leach-Payne on behalf of Mr. Scott E. Elisar.	22
<u>7/3/2012</u>	Entry granting Cleveland Thermal's request for a ten-day extension; that Cleveland Thermal file its memorandum contra K&D's application for rehearing on or before July 19, 2012. (MLW)	23
<u>7/12/2012</u>	Memorandum Cleveland Thermal Steam Distribution, LLC's Memorandum Contra Application for Rehearing electronically filed by Ms. Vicki L. Leach-Payne on behalf of Hummel, Gretchen J. Ms.	24
<u>7/18/2012</u>	Entry On Rehearing ordering that the application for rehearing filed by K&D is granted for further consideration of the matters specified in the application for rehearing.	25
<u>8/8/2012</u>	Entry ordered, that the application for rehearing filed by K&D be denied.	26
<u>10/4/2012</u>	Notice of Appeal SC# 12-1677.	27

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C E R T I F I C A T I O N

I, Barcy F. McNeal, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-27, the **Entry dated 5/30/2012** and the **Entry on Rehearing dated 8/8/2012** inclusive; and the Certification of the record in Case No. 11-898-HT-CSS

IN WITNESS THEREOF, I have thereunto set my hand  
and affixed the official seal of The Public Utilities Commission  
of Ohio this fifth day of NOVEMBER, 2012.

  
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Barcy F. McNeal, Secretary  
Betty McCauley, Acting Secretary  
Tanowa M. Troupe, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO