

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Charles King,)	
)	
Complainant,)	
)	
v.)	Case No. 13-703-GA-CSS
)	
The East Ohio Gas Company dba)	
Dominion East Ohio,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On March 18, 2013, Charles King filed a complaint against The East Ohio Gas Company dba Dominion East Ohio (Dominion), alleging that Dominion charged him for gas use from November 2006 through July 2007 at a property where he was not residing. According to Mr. King, he had vacated the property following foreclosure in October 2006. Mr. King adds that the readings for the period of time at issue were estimated and that he never received a final bill until July 2012. He closes by stating that he is paying the past due amount but does not believe the bill to be justified.
- (2) Dominion filed its answer on April 8, 2013. Dominion states that Mr. King was a Dominion customer with account number ending in 5119 and that it charged his account from November 2006 through June 20, 2007, when gas service was disconnected for nonpayment. Dominion adds that the bill for Mr. King's delinquent balance was due July 18, 2007, and was mailed to him on July 2, 2007, at P.O. Box 21633 in Cleveland, Ohio. Dominion further states that, during the time period at issue, Mr. King's meter was read every other month. Dominion denies that Mr. Jones is currently paying the past-due amount, but adds that he is enrolled in and current on a 12-month budget plan. Finally, says Dominion, the delinquent balance was transferred to Mr. Jones' current

account ending in 8270. Dominion denies any other allegations of Mr. King.

- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Rule 4901-1-26, Ohio Administrative code (O.A.C.), any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.
- (4) Accordingly, a settlement conference shall be scheduled for April 24, 2013, at 11:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (5) Pursuant to Rule 4901-1-26(F), O.A.C., the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (6) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.*, 5 Ohio St.2d 189, 214 N.E. 2d 666 (1966).

It is, therefore,

ORDERED, That a settlement conference be scheduled for April 24, 2013, at 11:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-0703-GA-CSS

Summary: Attorney Examiner Entry orders an 11:00 a.m. settlement conference on 04/24/2013 at the offices of the Commission located at 180 E. Broad St., Rm. 1246, 12th Flr., Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio