

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 Commission finds:

- (1) On September 5, 2012, M and M Steel, LLC, (M&M) filed a 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) By entry issued on October 2, 2012, the attorney examiner scheduled an October 30, 2012, settlement conference.

- (4) On October 29, 2012, CEI filed a motion to continue the settlement conference on account of inclement weather. The attorney examiner granted the motion for continuance and rescheduled the settlement conference for November 13, 2012.
- (5) On March 11, 2013, the parties filed a joint motion to dismiss. In the joint motion, the parties request that the Commission dismiss the complaint, with prejudice, because all issues raised in the complaint have been resolved.
- (6) The Commission finds that the parties' joint motion to dismiss the complaint, with prejudice, is reasonable and should be granted.

It is, therefore,

ORDERED, That the joint motion to dismiss the complaint, with prejudice, is granted. It is, further,

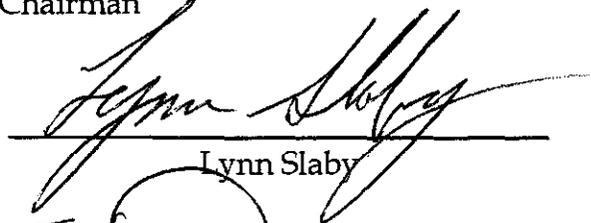
ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

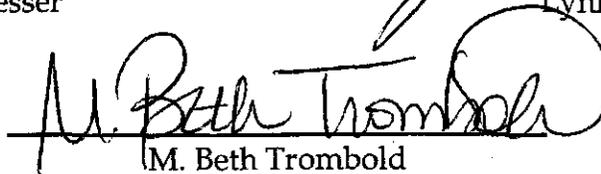


 Todd A. Snitchler, Chairman

 Steven D. Lesser



 Lynn Slaby



 M. Beth Trombold

BAM/sc

Entered in the Journal **APR 24 2013**



 Barcy F. McNeal
 Secretary