

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

ANNE L. LAUDERDALE,
990 Calumet Lane
Dayton, OH 45417

Case No. 13-1233-EL-CSS

Complainant

v.

DAYTON POWER & LIGHT and VERDE ENERGY
USA OHIO, LLC,

Respondents.

ANSWER OF VERDE ENERGY USA OHIO, LLC

Verde Energy USA Ohio, LLC ("Verde" or "the Respondent"), by its attorneys, Vorys, Sater, Seymour and Pease LLP, hereby answers the May 22, 2013 formal complaint form (the "Complaint") of Anne L. Lauderdale ("Lauderdale" or "Complainant") as follows:

1. Verde operates as a competitive retail electric supplier in the state of Ohio pursuant to Certificate No. 12-489E(1) issued in Case No. 11-5886-EL-CRS.
2. Verde admits that Complainant is a customer of the Respondent.
3. Verde denies that it began to supply electric service to Complainant without Complainant's consent. Verde has supplied electric service to Complainant since September 14, 2012 at Account No. _____ (REDACTED) in accordance with Complainant's telephone enrollment as a Verde customer on August 23, 2012. Please find submitted under seal as Exhibit A, a compact disc containing the audio of the third-party verification of Complainant's enrollment and a public version of Exhibit B, a transcription of Complainant's third-party verification.

4. Verde denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in the Complaint regarding "Star Energy," "IGS Energy," or "First Energy Solutions."

5. With respect to Complainant's belief that she "has been slammed," Verde states that the allegations regarding Complainant's beliefs are allegations not requiring an admission or denial. To the extent that an answer is deemed required, Verde denies knowledge or information sufficient to form a belief regarding those allegations.

6. With respect to Complainant's demand that she "be reimbursed our 506.00" Verde states that the allegations regarding Complainant's demands are allegations not requiring an admission or denial. To the extent that an answer is required of Verde, Verde admits that the bill in the amount of \$506.55 provided to Complainant was correct based on the utility meter readings that were supplied to Verde from Dayton Power and Light Company pursuant to Account No. _____ (REDACTED) for the period 1/14/13 - 2/1/13.

7. With respect to Complainant's request that Verde "consent and validate fees and charges," Verde admits that it provides proof of Complainant's consent to its services in Exhibits A and B and verifies Complainant's charges in accordance with the meter readings for Account No. _____ (REDACTED).

8. Verde reserves the right to amend this Answer to assert any additional defenses after further discovery and investigation.

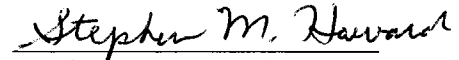
WHEREFORE, having fully answered the allegations set forth in the Complaint, Verde Energy USA Ohio, LLC respectfully requests that the Public Utilities Commission of Ohio enter judgment:

(a) dismissing the Complaint in its entirety, with prejudice; and

(b) granting such other and further relief as the Commission may deem proper.

Respectfully submitted,

VORYS, SATER, SEYMOUR & PEASE LLP



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Attorneys for Respondent

Verde Energy USA Ohio, LLC

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing public version of the Answer and Attachment B were served on Anne L. Lauderdale, 990 Calumet Lane, Dayton, Ohio 45417 and upon Ms. Dona Seger-Lawson, Dayton Power & Light Company, 10625 Woodman Drive, Dayton, Ohio 45432 via U.S. First Class Mail, postage prepaid, this 11th day of June, 2013.

Stephen M. Howard
Stephen M. Howard

Exhibit A

Exhibit A consists of the compact disc containing the audio of the third party verification of complainant's enrollment. Because it contains the complainant's account number, it is being submitted under seal.

EXHIBIT B

<u>QUESTION</u>	<u>RESPONSE</u>
This is a recorded verification of your selection of Verde Energy USA for the supply portion of your utility service. After the tone, please say yes to acknowledge the start of this verification	Yes
After the tone, please clearly state your full name followed by the # key when finished	Anne Lauderdale
After the tone, please clearly state your Utility Account Number followed by the # key when finished	_____ (REDACTED)
After the tone, please clearly state your Street Address, City, State and zip code followed by # key when finished	990 Calumet Lane Dayton, OH 45417
Are you over 18 years of age and authorized to make a change of supplier for this account?	Yes
Do you understand that there is no cost to select Verde Energy USA? No contract to sign. Your utility company will continue to fully service your account and continue to send you one bill and that Verde's rate will begin within one to two billing cycles?	Yes
Do you understand the Verde Energy's rate is fixed at .075 cents per KWH through May 2013 and will then be a monthly variable rate which may fluctuate with market conditions at that time?	Yes
Do you understand that Verde Energy will send you via first class mail a welcome kit which will include a copy of your terms of service and your \$50 cash bonus rebate form?	Yes
Do you understand you can cancel your selection of Verde Energy at any point in time without penalty and can contact Verde at 1-800-388-3862 if you ever wish to cancel?	Yes
Do you authorize Verde Energy USA to become your electric supplier for your account?	Yes

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in

Case No(s). 13-1233-EL-CSS

Summary: Answer Answer electronically filed by Mr. Stephen M Howard on behalf of Verde Energy USA Ohio, LLC