

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Fredy A. Barrera,)	
)	
Complainant,)	
)	
v.)	Case No. 13-521-WS-CSS
)	
Aqua Ohio Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On February 25, 2013, Fredy A. Barrera (complainant) filed a complaint against Aqua Ohio Inc. (Aqua) concerning unusual spikes in his water usage.
- (2) On March 18, 2013, Aqua filed an answer in which it denied the material allegations of the complaint.
- (3) By entry issued April 11, 2013, the attorney examiner scheduled a settlement conference for May 9, 2013. At the settlement conference, the parties were unable to reach an agreement.
- (4) The attorney examiner finds that this case should be scheduled for a hearing on August 13, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Hearing Room 11-C, 11th floor, Columbus, Ohio 43215-3793.
- (5) All discovery requests should be conducted in accordance with Rules 4901-1-16 to 4901-1-24, Ohio Administrative Code (O.A.C.).
- (6) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), O.A.C., which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

- (7) 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 hearing be held as set forth in Finding (4). It is, further,

ORDERED, That discovery be conducted in accordance with Finding (5). It is, further,

ORDERED, That any party intending to present expert testimony comply with Finding (6). It is, further,

ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ L. Douglas Jennings

By: L. Douglas Jennings
Attorney Examiner

jrj/vrm

Entered in the Journal

Barcy F. McNeal

Barcy F. McNeal
Secretary

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Commission of Ohio Docketing Information System on

7/2/2013 10:50:37 AM

in

Case No(s). 13-0521-WS-CSS

Summary: Attorney Examiner Entry scheduling a hearing for August 13, 2013, at 10:00 a.m., electronically filed by Vesta R Miller on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio