

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Robert)	
Ferguson,)	
)	
Complainant,)	
)	
v.)	Case No. 12-2883-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) The above-referenced complaint was filed on October 31, 2012. In the complaint, Robert Ferguson (Mr. Ferguson or complainant) stated that, after calling The Cleveland Electric Illuminating Company (CEI) to get the electricity at his residence transferred into his name, the electricity was shut off. Mr. Ferguson stated that he never received a bill or shut-off notice from the utility company. Further, Mr. Ferguson stated that, although he does not have access to the meters at his residence, CEI told him that he might be charged \$5,000 for tampering with the meters.
- (2) On November 20, 2012, CEI filed an answer denying the allegations in the complaint.
- (3) On February 13 and September 6, 2013, settlement conferences were held in attempts to informally resolve this matter. The parties, however, were unable to reach a resolution of the issues presented in the complaint. Further, it appears that reasonable grounds for complaint have been presented.
- (4) Accordingly, a hearing in this matter should be scheduled to begin at 10:00 a.m. on December 11, 2013, in the offices of the Commission, Hearing Room 11-D, 180 East Broad Street, Columbus, Ohio 43215-3793.

- (5) Any party intending to present direct expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, 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 commencement of the hearing.
- (6) In Commission proceedings, the complainant has the burden of proving the allegations in the complaint. Thus, at hearing, it shall be the complainant's responsibility to appear and be prepared to present evidence in support of the complaint.

It is, therefore,

ORDERED, That a hearing in this matter be scheduled for December 11, 2013, at 10:00 a.m., in Hearing Room 11-D, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That the terms of this entry be observed. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Kerry K. Sheets

By: Kerry K. Sheets
Attorney Examiner

jrj/vrm

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in

Case No(s). 12-2883-EL-CSS

Summary: Attorney Examiner Entry scheduling hearing for December 11, 2013, at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio