

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Michelle Sims,)	
)	
Complainant,)	
)	
v.)	Case No. 13-1368-EL-CSS
)	
Ohio Edison Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On June 13, 2013, Michele Sims (Ms. Sims) filed a complaint against Ohio Edison Company (Ohio Edison) alleging incorrect charges on her account. Ms. Sims contends that in 2011 approximately \$600.00 was added to her bill for service at 301 Kenridge Road, in Fairlawn, Ohio, even though she had fully paid a prior bill and security deposit in order to be removed from the Percentage of Income Payment Plan (PIPP). She adds that, according to Ohio Edison, the charges were from 2006 service received at her previous address, 1172 W. Waterford Court, in Akron, Ohio, when she was placed on PIPP. Ms. Sims asserts that she did not sign up for PIPP until 2008 and that, despite her requests, Ohio Edison did not provide copies of 2006 bills indicating what she owes.
- (2) Ohio Edison filed its answer on July 1, 2013. Ohio Edison asserts that \$680.11 was transferred to Ms. Sims' account for service at 1780 W. Waterford Court, not 1172 W. Waterford Ct., in Akron, Ohio. Ohio Edison adds that Ms. Sims had service at 1780 W. Waterford Ct. from May 24, 2002 to February 7, 2006, during which time she was on PIPP. Ohio Edison denies all other contentions made by Ms. Sims.

- (3) In a July 29, 2013, entry, the attorney examiner scheduled an August 12, 2013, settlement conference. The parties participated in the conference but were unable to resolve matters at that time or later. In addition, in the months following the conference, Ms. Sims did not file a letter indicating that she wished to withdraw the complaint.
- (4) Accordingly, a hearing shall be scheduled for January 16, 2014, at 10:00 a.m. at the Commission offices, 180 East Broad Street, Hearing Room 11-D, Columbus, Ohio 43215-3793. Ms. Sims is reminded that in complaint proceedings, the burden of proof rests with the complainant. Therefore, at the hearing, it is Ms. Sims' responsibility to appear and be prepared to present evidence supporting her complaint.
- (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 the commencement of the hearing.

It is, therefore,

ORDERED, That a hearing is scheduled as described in Finding (4). It is, further,

ORDERED, That any party intending to present expert testimony comply with Finding (5). 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

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in

Case No(s). 13-1368-EL-CSS

Summary: Attorney Examiner Entry schedules a hearing in accordance with Finding (4) and orders any party intending to present expert testimony to comply with Finding (5). - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio