

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Jiles N. )  
Hale, Jr., )  
 )  
Complainant, )  
 )  
v. ) Case No. 13-407-EL-CSS  
 )  
The Dayton Power and Light Company, )  
 )  
Respondent. )

ENTRY

The attorney examiner finds:

- (1) On February 11, 2013, Jiles N. Hale, Jr. (Complainant) filed a complaint against the Dayton Power and Light Company (DP&L). Mr. Hale alleges that DP&L installed a gas line near his property and that water now drains in a direction that causes damage to his property. Mr. Hale wants DP&L to restore a drainage ditch to prevent further water damage.
- (2) DP&L filed an answer and other pleadings on February 26, 2013.
- (3) By entry issued April 24, 2013, the attorney examiner scheduled a settlement conference for May 16, 2013. The parties did not reach an agreement.
- (4) By request of the Complainant, the attorney examiner issued an entry on July 25, 2013, to schedule a settlement conference for August 20, 2013.
- (5) To date the parties have not reached a settlement, and the Complainant has not stated whether he wishes to proceed with the complaint. The Complainant should, therefore, file a statement, on or before April 25, 2014, advising the Commission whether he wishes to proceed to a hearing. If the Complainant does not file a statement, the attorney examiner will recommend that the complaint be dismissed for lack of prosecution.

It is, therefore,

ORDERED, That the Complainant file by April 25, 2014, a statement of intent to proceed to hearing; otherwise, the attorney examiner will recommend to the Commission that the complaint be dismissed for lack of prosecution. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ L. Douglas Jennings

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By: L. Douglas Jennings  
Attorney Examiner

jrj/vrm

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 13-0407-EL-CSS**

Summary: Attorney Examiner Entry ordering complaint to file statement of intent by April 25, 2014; electronically filed by Vesta R Miller on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio