

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of Bruce Snyder,)	
)	Case No. 13-2031-EL-CSS
)	
Complainant,)	
)	
v.)	
)	
FirstEnergy Solutions Corp.,)	
)	
Respondent.)	
)	

**FIRSTENERGY SOLUTIONS CORP.'S ANSWER TO
COMPLAINANT'S AMENDED COMPLAINT**

In accordance with Rule 4901-9-01(D) of the Ohio Administrative Code (“OAC”), Respondent FirstEnergy Solutions Corp. (“FES” or “Respondent”), for its answer to the amended complaint of Bruce Snyder (“Complainant”), states as follows:

1. To the extent that a response to the assertions in the first paragraph of the Amended Complaint (the “Complaint”) are warranted, FES denies that its conduct constitutes any violation of the OAC and denies the remaining allegations for lack of knowledge as to their truth.

2. In response to the allegations set forth in the second paragraph of the Complaint, FES:

- States that the provisions of the OAC cited in this paragraph speak for themselves;
- Admits that Complainant spoke by phone on May 31, 2013, with Steve Hogan;
- Admits that Steve Hogan is a representative of FES, but denies that Mr. Hogan is an employee of FES;

- Denies that the issues raised by Complainant on May 31, 2013, constituted a “complaint,” as defined in OAC 4901:1-21-01(G).
- Denies that FES committed any violation of OAC 4901:1-21-08(B)(2) in responding to the issues raised by Complainant on May 31, 2013;
- Denies that any status report was required in response to Complainant’s call on May 31, 2013;
- Admits that Complainant called FES on July 29, 2013;
- Denies Complainant’s assertion that FES failed to provide discovery properly submitted to FES; and
- Denies any remaining allegations.

3. In response to the allegations set forth in the third paragraph of the Complaint, FES:

- States that the provisions of the OAC cited in this paragraph speak for themselves;
- Admits that Complainant called FES on July 29, 2013, and spoke with Deborah Ison;
- Admits that Deborah Ison is an FES employee;
- Denies that FES’s response to Complainant’s call on July 29, 2013, was in violation of OAC 4901:1-21-08(B)(5) or (B)(7);
- Denies that Complainant made any of the suggested assertions in his call on July 29, 2013;
- Admits that Complainant spoke with Rebecca Pastier, an FES employee, on September 17, 2013; and,
- Denies any remaining allegations.

4. In response to the allegations set forth in the fourth paragraph of the Complaint, FES:

- States that the provisions of the OAC cited in this paragraph speak for themselves;
- Admits that it sent Complainant a letter on August 19, 2013, which confirmed the terms of an FES offer for a rate plan and additional compensation to which FES believed Complainant had consented;
- Admits that Complainant contacted Fred Maurer, an FES employee, to rescind his enrollment in the rate plan and additional compensation;
- Denies that FES violated any of the OAC provisions cited in this paragraph;
- Denies that FES has any obligation to identify which recording meets the requirements of “the Ohio rules;”
- Denies that FES failed to cooperate with Staff upon Complainant’s filing of the informal complaint; and,
- Denies any remaining allegations.

5. In response to the allegations set forth in the fifth paragraph of the Complaint, FES:

- States that the provision of the OAC cited in this paragraph speak for itself;
- Admits that Complainant requested a copy of his May 22, 2013, online application for service;
- Admits that FES provided a copy of the application to Complainant;
- Denies that Complainant’s application fails to meet the requirements of OAC 4901:1-21-06(D)(3)(g)(vii); and

- Denies any remaining allegations.

6. FES denies any allegations not specifically admitted herein.

FIRST DEFENSE

7. The Complaint fails to set forth reasonable grounds for a complaint as to service as required by Ohio Revised Code § 4905.26

SECOND DEFENSE

8. The Complaint fails to state a claim upon which relief can be granted.

THIRD DEFENSE

9. The Complainant lacks standing to assert some or all of the OAC violations alleged in the Complaint.

FOURTH DEFENSE

10. The Commission lacks subject matter jurisdiction over some or all of the Complainant's claims.

FIFTH DEFENSE

39. FES reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, Respondent FirstEnergy Solutions Corp. respectfully requests an Order dismissing the Complaint and granting FES all other necessary and proper relief.

Respectfully submitted,

/s/ Laura C. McBride

Scott J. Casto (#0085756)

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On behalf of FirstEnergy Solutions Corp.

CERTIFICATE OF SERVICE

The PUCO's e-filing system will electronically serve notice of filing of this document on the party set forth below, and in addition, a copy of the foregoing *FirstEnergy Solutions Corp.'s Answer to Complainant's Amended Complaint* was served this 27th day of May, 2014, via electronic mail and regular mail on:

Bruce Snyder

4461 Powder Horn Drive

Beavercreek, OH 45432

snyderbd888@sbcglobal.net

/s/ Laura C. McBride

On behalf of FirstEnergy Solutions Corp.

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-2031-EL-CSS

Summary: Answer to Amended Complaint electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp.