

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Daniel)
Reppert,)
)
 Complainant,)
)
 v.) Case No. 14-524-GA-CSS
)
The East Ohio Gas Company d/b/a)
Dominion East Ohio,)
)
 Respondent.)

ENTRY

The attorney examiner finds:

- (1) On March 31, 2014, Daniel Reppert (Complainant) filed a complaint against the East Ohio Gas Company d/b/a Dominion East Ohio (Dominion). The Complainant alleges that Dominion issued him a billing statement for February 2014, for an incorrect rate. The Complainant further alleges that Dominion backdated the rate to January 2014, without notification. The Complainant wants Dominion to correct the error and issue a credit.
- (2) Dominion filed an answer to the complaint on April 21, 2014. In its answer, Dominion alleges that Susan M. Reppert, not the Complainant, is the customer of record. Dominion admits that the February 2014 bill included a standard choice offer rate adjustment of \$13.24. Dominion explains that the January 2014 bill applied an incorrect rate that resulted in an undercharge of \$13.24. To correct the undercharge, Dominion added an adjustment of \$13.24 to the February 2014 bill. Dominion denies that it did not provide notification, asserting that the February 2014 bill clearly disclosed the rate adjustment.
- (3) At this time, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any

statement made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible in future proceedings in this case or be admissible to prove liability or invalidity of a claim. Nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference. An attorney examiner with the Commission's Legal Department will facilitate the settlement process.

- (4) Accordingly, a settlement conference shall be scheduled for July 16, 2014, at 1:00 p.m., in Room 1246, at the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (5) Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of Dominion shall investigate the issues raised in the complaint prior to the settlement conference, and all parties participating in the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, parties participating in the settlement conference should have with them all documents relevant to this matter.
- (6) 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 settlement conference be held on July 16, 2014, at 1:00 p.m. in Room 1246 in the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. 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

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in

Case No(s). 14-0524-GA-CSS

Summary: Attorney Examiner Entry scheduling July 16, 2014, settlement conference; electronically filed by Vesta R Miller on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio