

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Carol A. Allen,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 14-830-EL-CSS
	)	
The Toledo Edison Company,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On May 5, 2014, Carol A. Allen (Complainant) initiated this complaint proceeding by filing recent copies of her electric bills.
- (2) On May 23, 2014, the Toledo Edison Company (Toledo Edison or Respondent) filed a motion to dismiss. Toledo Edison argues that the complaint fails to meet the standard for a complaint found in Ohio Adm.Code 4901-9-01(B), which requires, among other things, that a complaint explain the facts which constitute the basis for the complaint and a statement of the relief sought. Because the complaint fails to meet these requirements, Toledo Edison argues that the Complainant has failed to state reasonable grounds for complaint and that the complaint must, therefore, be dismissed.
- (3) On June 3, 2014, the Complainant filed a letter that alleges that Toledo Edison has erred in its billings. The Complainant seeks to have her bills corrected with the issuance of credits.
- (4) 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.

- (5) Accordingly, a settlement conference shall be scheduled for July 31, 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.
- (6) Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the Respondent 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.
- (7) 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 31, 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

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By: L. Douglas Jennings  
Attorney Examiner

sef/vrm

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

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**in**

**Case No(s). 14-0830-EL-CSS**

Summary: Attorney Examiner Entry scheduling a settlement conference for July 31, 2014, at 1:00 p.m.; electronically filed by Vesta R Miller on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio