

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Jennifer Hines,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 14-1170-GA-CSS
	)	
The Dayton Power and Light Company,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On July 1, 2014, Jennifer Hines (Complainant) filed a complaint against The Dayton Power and Light Company (DPL), alleging that the bill that she received in May 2014 was too high. Ms. Hines explains that after she contacted DPL about the bill, a DPL service representative stopped by her home on May 13, 2014, checked the meter, and found nothing wrong with its operation. She contends that DPL told her that the bill reflected an actual read, with the previous actual read occurring in August 2013. Complainant adds that she expected her bill to be somewhat higher because of harsh winter weather in early 2014, but adds that the meter was “recycled” when it should have been tested further. She seeks a compromise with DPL on the amount that she is being asked to pay.
- (2) DPL filed its answer on July 16, 2014, essentially denying Complainant’s allegations and stating that it has complied with all relevant statutes, regulations, and tariffs.
- (3) The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties’ willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission’s legal department will facilitate the settlement

process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement conference shall be scheduled for August 12, 2014, at 10:00 a.m., at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. The parties should bring with them all documents relevant to this matter. If a settlement is not reached at the conference, the attorney examiner will 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 the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues. In addition, parties attending the settlement conference should bring 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 scheduled for August 12, 2014, at 10:00 a.m., at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. 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 M. Lynn

---

By: James M. Lynn  
Attorney Examiner

jrj/vrm

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

**Commission of Ohio Docketing Information System on**

**7/25/2014 9:55:23 AM**

**in**

**Case No(s). 14-1170-EL-CSS**

Summary: Attorney Examiner Entry scheduling a settlement conference for August 12, 2014 at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission of Ohio