

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

GWENDOLYN TANDY,

Complainant,

v.

THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,

Respondent.

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Case No. 14-1241-EL-CSS

ANSWER

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, The Cleveland Electric Illuminating Company (CEI or the Company), for its answer to the complaint of Gwendolyn Tandy, states:

FIRST DEFENSE

1. CEI is without sufficient knowledge or information to admit or deny that Complainant “opted out of the Euclid aggregation 9-9-13.” CEI denies that Complainant’s total current charges for January 2014 were \$150.00. CEI admits that Complainant’s total current charges for February 2014 were \$131.55; for March 2014, \$131.64; and for April 2014, \$95.67. CEI avers that total current charges do not include amounts previously billed and do not necessarily represent the total amount due in any given month. CEI is without sufficient knowledge or information to admit or deny the remaining allegations on the first page of the complaint.

2. CEI is without sufficient knowledge or information to admit or deny the handwritten notes appearing on the document appended as the second page of the complaint. CEI avers that the document speaks for itself.

3. CEI is without sufficient knowledge or information to admit or deny the allegations appearing on the third page of the complaint.

4. CEI is without sufficient knowledge or information to admit or deny the handwritten notes appearing on the document appended to the complaint as its fourth page. CEI avers that the document speaks for itself. CEI avers that Complainant was disconnected for non-payment on May 30, 2014.

5. In accordance with Ohio Adm. Code 4901-9-01(D), CEI generally denies all allegations in the complaint except those allegations or paragraphs expressly admitted above.

AFFIRMATIVE DEFENSES

SECOND DEFENSE

6. The complaint is barred by res judicata.

THIRD DEFENSE

7. The complaint is barred by laches, waiver, and estoppel.

FOURTH DEFENSE

8. The complaint does not set forth a claim for which relief may be granted.

FIFTH DEFENSE

9. The complaint fails to set forth reasonable grounds for complaint, as required by R.C. 4905.26.

SIXTH DEFENSE

10. CEI at all times complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and CEI's tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Ms. Tandy's claims.

SEVENTH DEFENSE

11. CEI reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, CEI respectfully requests an Order dismissing the complaint and granting CEI all other necessary and proper relief.

Dated: August 4, 2014

Respectfully submitted,

/s/ Andrew J. Campbell
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(All counsel willing to accept service by email.)

ATTORNEYS FOR THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by U.S. mail this 4th day
of August 2014 to the following:

Gwendolyn Tandy
1439 Sulzer Ave.
Euclid, Ohio 44132

/s/ Gregory L. Williams
One of the Attorneys for The Cleveland
Electric Illuminating Company

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 14-1241-EL-CSS

Summary: Answer to the Complaint electronically filed by Mr. Gregory L. Williams on behalf of The Cleveland Electric Illuminating Co.