

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Larry Peterson,)	
)	
Complainant,)	
)	
v.)	Case No. 14-744-EL-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On April 21, 2014, Larry Peterson (Complainant) filed a complaint against Duke Energy Ohio, Inc. (Duke), alleging that he was incorrectly billed by Duke. Complainant contends that he was billed for electric usage for a "different part of the building," specifically a "garage storage room," even though he only rents "the upstairs of this apartment."
- (2) Duke filed its answer on May 12, 2014. Duke admits that it had incorrectly billed Complainant for service to the garage storage room. Duke adds that once Complainant brought the error to Duke's attention, it corrected the billing error by applying to Complainant's correct account number every payment made by Complainant to the incorrect account number. Duke also states that the account for the garage storage room has been placed in the name of the landlord of the property where Complainant lives.
- (3) By entry issued May 20, 2014, the attorney examiner scheduled a June 19, 2014 settlement conference. At Complainant's request, the conference was rescheduled to August 11, 2014. The parties participated in additional conferences on October 6, 2014, November 5, 2014, and December 18, 2014, but were unable to resolve the matter.
- (4) Accordingly, this case shall be scheduled for a hearing on March 24, 2015, at 1:00 p.m. in Hearing Room 11-D, located at the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793.

- (5) Any party intending to present direct, expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.
- (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 hearing be scheduled as indicated in Finding (4). It is, further,

ORDERED, That any party intending to present direct, expert testimony comply with Finding (5). It is, further,

ORDERED, That a copy of this Entry be served upon interested parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 14-0744-EL-CSS

Summary: Attorney Examiner Entry scheduling a hearing in accordance with Finding (4) and directing any party intending to present direct, expert testimony to comply with Finding (5). - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio