

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)
Odessa Vaughn,)
)
 Complainant,)
)
 v.) Case No. 14-2287-TR-CSS
)
 J.M. Movers,)
)
 Respondent.)

ENTRY

The attorney examiner finds:

- (1) On December 18, 2014, Odessa Vaughn (Complainant), filed a complaint against J.M. Movers (Respondent) alleging that Respondent damaged her china cabinet, piano, and dining room table in a move of household goods that Respondent performed for Complainant on June 20, 2013. Complainant further alleges that the contract between the parties requires Respondent to pay \$0.60 per pound for the items damaged in the move and that the total weight of all such items damaged in this case is at least 680 pounds. Complainant seeks to have the Commission order Respondent to pay Complainant \$0.60 for 680 pounds of damaged items, offset by a \$100.00 payment already made.
- (2) Ohio Adm.Code 4901-9-01(B) provides that a respondent shall file an answer within 20 days following service of a complaint. J.M. Movers did not file an answer to Ms. Vaughn's complaint.
- (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 of this complaint 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 discussion. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement teleconference is hereby scheduled to occur on February 2, 2015, at 10:00 a.m. At the scheduled time, the parties may dial-in toll free to (866) 209-2820 and enter conference code 538-970-1348. If it becomes apparent that the parties are not likely to settle this matter, the parties should be prepared to discuss a procedural schedule to facilitate the timely and efficient processing of this complaint.
- (5) Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the public utility shall investigate the issues raised in 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 requisite authority to settle those issues.
- (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 the matter be scheduled for a telephone settlement conference on February 2, 2015, at 10:00 a.m. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/dah

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 14-2287-TR-CSS

Summary: Attorney Examiner Entry that schedules a settlement teleconference for 10:00 a.m. on February 2, 2014; electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.