

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Jimmie Steagall)	
1351 Randomhill Road)	
Cincinnati, OH 45231)	
)	
Complainant,)	Case No. 15-837-EL-CSS
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

ANSWER OF RESPONDENT DUKE ENERGY OHIO, INC.

For its Answer to the Complaint of Jimmie Steagall (Complainant), Duke Energy Ohio, Inc. (Duke Energy Ohio or Company) states as follows:

1. Duke Energy Ohio denies that Complainant ever cancelled or requested that the Company cancel service at 825 Livingston Street, Floor 2, Cincinnati, OH 45215 (the “Property”), under Account #0420-0110-29-9 (the “Account”) in Complainant’s name. Further answering, Duke Energy Ohio states that Complainant called the Company during May 2013 to establish electric service on the Account in his name and that Complainant did not advise the Company that he only wanted service for two weeks or some other temporary or limited time frame.
2. Duke Energy Ohio lacks knowledge or information to admit or deny all allegations of the Complaint relating to the physical condition and occupancy of the Property and the installation of electric service and gas lines at the Property and, therefore, denies the

same. Further answering, upon information and belief, Complainant's brother Kenneth Steagall lived at the Property during some or all of the period in question.

3. Duke Energy Ohio denies that Complainant requested that the Company disconnect the gas service to the Property. Further answering, Duke Energy Ohio states that it has a recorded telephone call from Complainant on January 29, 2014, during which Complainant acknowledged that the electric service already was active at the Property and requested that Duke Energy Ohio turn on the gas service at the Property.
4. Duke Energy Ohio denies that the Company made any mistakes regarding the activation or disconnection of the electric or gas service at the Property with respect to Complainant's Account.
5. Duke Energy Ohio admits that, on November 18, 2014, the Company transferred Complainant's unpaid balance of \$1,510.81 on the Account to the account in Complainant's name at 1351 Random Hill Road, Cincinnati, Ohio in accordance with Duke Energy Ohio's tariffs on file with the Commission and other applicable rules and regulations of the Commission.
6. Duke Energy Ohio denies all allegations of the Complaint not expressly admitted herein.

AFFIRMATIVE DEFENSES

7. The Complaint fails to state a claim against Duke Energy Ohio upon which relief may be granted.
8. Duke Energy Ohio asserts as an affirmative defense that pursuant to R.C. 4905.26 and O.A.C. 4901-9-01-(B)(3), Complainant has failed to set forth reasonable grounds for complaint.

9. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, Duke Energy Ohio has provided reasonable and adequate service in accordance with all applicable provisions of Title 49 of the Ohio Revised Code and regulations promulgated thereunder, and in accordance with all of Duke Energy Ohio's filed tariffs.
10. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, the Company acted in conformance with O.A.C. 4901:1-10 and 4901:1-13 with respect to the safe and reliable provision of electric and gas services on Complainant's Account.
11. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, the Company acted in conformance with O.A.C. 4901:1-10-22-23 and 4901:1-13-11 and R.C. 4933.28 with respect to the Company's billings to Complainant.
12. Duke Energy Ohio asserts as an affirmative defense that Complainant requested, received and enjoyed the benefit of the gas and electricity services provided by the Company and, therefore, should pay Duke Energy Ohio for such services regardless of any technical or alleged issues or problems associated with the meters and billings.
13. Duke Energy Ohio asserts as an affirmative defense that Complainant has not stated any damages or request for relief, including relief which may be granted by this Commission.
14. Duke Energy Ohio reserves the right to raise additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as may become necessary during the investigation and discovery of this matter.

CONCLUSION

WHEREFORE, having fully answered, Respondent Duke Energy Ohio, Inc. prays that the Commission dismiss the Complaint of Jimmie Steagall for failure to set forth reasonable grounds for the Complaint and to deny Complainant's Request for Relief, if any.

Respectfully submitted,

/s/ Robert A. McMahon

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Attorneys for Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served via regular US Mail, postage prepaid, this 15th day of May, 2015, upon the following:

Jimmie Steagall
1351 Randomhill Road
Cincinnati, OH 45231

/s/ Robert A. McMahon

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in

Case No(s). 15-0837-EL-CSS

Summary: Answer ANSWER OF RESPONDENT DUKE ENERGY OHIO INC electronically filed by Mr. Robert A. McMahon on behalf of Duke Energy Ohio, Inc.