

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JERRY M. JOHNSON,	)	
	)	
and	)	
	)	
L&J LAND & BUILDING COMPANY,	)	
	)	
Complainants,	)	Case No. 15-1123-GA-CSS
	)	
v.	)	
	)	
THE EAST OHIO GAS COMPANY D/B/A	)	
DOMINION EAST OHIO,	)	
	)	
Respondent.	)	

**ANSWER**

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, The East Ohio Gas Company (DEO or the Company), for its answer to the complaint of Jerry M. Johnson and L&J Land & Building Company (L&J), states:

**FIRST DEFENSE**

1. DEO avers that gas service is currently provided at 1524 Fairway Drive, Lima, Ohio 45805 (Fairway Property) under an account ending in 9647, in the name of Jerry M. Johnson. DEO further avers that from December 15, 2010, until March 13, 2015, gas service was provided to 317 N. Pierce Street, Lima, Ohio 45801 (Pierce Property) under an account ending in 6186, in the name of Jerry Johnson.

2. DEO is without sufficient knowledge or information to admit or deny the identities of the property owners of either the Fairway Property or the Pierce Property. DEO avers that information publicly available through county-auditor websites suggested that both properties were owned by a company associated with Complainant.

3. DEO denies that it has not billed the Pierce Property since January 16, 2015. DEO avers it mailed bills dated February 17 and March 24, 2015, to the Pierce Property.

4. DEO avers that it did not receive payment for gas service to the Pierce Property for any of the bills issued from December 2014 through March 2015, and that gas service to the Pierce Property was disconnected for nonpayment on March 13, 2015. DEO avers that the March 24, 2015 bill constituted a final bill, with a balance of \$638.70.

5. DEO avers that before sending an account with an unpaid final bill to a collection agency, its billing system attempts to identify active accounts with matching payors. DEO further avers that the account-payor information for the Fairway Property matched the account-payor information for the Pierce Property.

6. DEO avers that based on the matching account-payor information, the final balance for the Pierce Property was transferred to the Fairway Property account and displayed on the April 30, 2015 bill sent to that address.

7. DEO is without sufficient knowledge or information to admit or deny whether numerous phone calls have been made to DEO regarding these accounts. DEO avers that its records only indicate one contact from Mr. Johnson, on April 23, 2015, in which he was informed of the amount transferred from the Pierce Property account to the Fairway Property account.

8. DEO is without sufficient knowledge or information to admit or deny the remaining allegations in the complaint, and generally denies any allegations not specifically admitted or denied in this Answer in accordance with Ohio Adm. Code 4901-9-01(D).

## **AFFIRMATIVE DEFENSES**

### **SECOND DEFENSE**

9. The complaint does not comply with the Commission's rules requiring "a statement which clearly explains the facts." Ohio Adm. Code 4901-9-01(B). The allegations are not in numbered-paragraph, but narrative, form; many of the allegations and statements in the complaint are compound; and many of the allegations omit numerous details necessary to answer them. The Company, has attempted, to the best of its ability, to answer the allegations, but reserves the right to amend its answer in the event it has incorrectly understood the allegations.

### **THIRD DEFENSE**

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

### **FOURTH DEFENSE**

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

### **FIFTH DEFENSE**

12. DEO 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 the Company's tariffs. These statutes, rules, regulations, orders and tariff provisions bar Mr. Johnson's claims.

### **SIXTH DEFENSE**

13. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

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

Dated: July 8, 2015

Respectfully submitted,

/s/ Andrew J. Campbell

Mark A. Whitt (0067996)

Andrew J. Campbell (0081485)

Rebekah J. Glover (0088798)

WHITT STURTEVANT LLP

The KeyBank Building, Suite 1590

88 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3946

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

campbell@whitt-sturtevant.com

glover@whitt-sturtevant.com

(All counsel are willing to accept service by  
email)

ATTORNEYS FOR THE EAST OHIO  
GAS COMPANY D/B/A DOMINION  
EAST OHIO

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was served by mail to the following address this 8th day of July, 2015:

Jerry M. Johnson  
Hunt & Johnson, LLC  
400 West North Street  
Lima, Ohio 45801

/s/ Rebekah J. Glover  
One of the Attorneys for The East Ohio Gas  
Company d/b/a Dominion East Ohio

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**Case No(s). 15-1123-GA-CSS**

Summary: Answer electronically filed by Ms. Rebekah J. Glover on behalf of The East Ohio Gas Company d/b/a Dominion East Ohio