

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

CHARLOTTE PAOLUCCI,)	
)	
Complainant,)	
)	
v.)	Case No. 15-1124-WW-CSS
)	
AQUA OHIO, INC.,)	
)	
Respondent.)	
)	

ANSWER

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, Aqua Ohio, Inc. (Aqua or the Company), for its answer to the complaint of Charlotte Paolucci, states:

FIRST DEFENSE

1. Aqua admits that Ms. Paolucci is a residential customer receiving waterworks service under an account ending 1552 at 6201 Lucas Ave., Ashtabula, Ohio 44004 (the Premises).

2. Aqua avers that on February 22 and 23, 2015, Ms. Paolucci's son, Robert, contacted Aqua's after-hours service to report low water pressure.

3. Aqua avers that in response to this report, a field service crew was sent to the Premises to investigate and discovered that the company-owned portion of the service line was frozen. As a result, the Company ordered a new one-inch copper service line to be installed and connected to the customer-owned portion of the service line, and advised Mr. Paolucci that he would likely be required to replace the customer-owned portion of the service line.

4. Aqua avers that on February 25, 2015, Mr. Paolucci again contacted Aqua's after-hours service with another report of low pressure.

5. Aqua avers that on February 26, 2015, a field service representative visited the property and found that the customer-owned portion of the service line appeared both plugged with deposits due to age and frozen. Aqua further avers that the representative informed Mr. Paolucci that it was the customer's responsibility to remedy any issues with the customer-owned portion of the line.

6. Aqua avers that on or about March 7, a contractor for the Company installed the one-inch copper service line on the company-owned portion of the line that had previously been determined to be frozen, connected it to the customer-owned portion of the line, and replaced the curb box.

7. Aqua denies that the dates submitted to the Commission "concerning Home visits of Aqua tech repair or replacement" are false. Aqua avers that field personnel made several visits to the Premises to meet with Mr. Paolucci regarding the service-line and water-pressure issues.

8. Aqua denies that the depth measurements submitted to the Commission are false. The new company-owned service line was installed from the main line to the curb box at a depth of approximately four-and-a-half to five feet. Aqua avers that only where the company-owned portion of the service line connected to the customer-owned portion of the service line was the company-owned line raised in order to meet the customer-owned line's shallower depth.

9. Aqua avers that its field personnel discussed with Mr. Paolucci the possibility of installing a temporary line from a neighbor's residence to the Premises to provide water service while repairs were made to the company-owned portion of the main and service line. Aqua avers that Mr. Paolucci declined to pursue this option.

10. Aqua avers that it is in the process of replacing the main line in the vicinity of the Premises. Aqua avers that on March 23 and 24, a two-inch temporary main line was installed as

a temporary replacement for the portion of the main line serving the Premises and that the Company is currently installing a new six- and eight-inch main line along the entire street, at which point the temporary two-inch line will be removed.

11. Aqua 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

12. 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

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

FOURTH DEFENSE

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

FIFTH DEFENSE

15. Aqua 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 Ms. Paolucci's claims.

SIXTH DEFENSE

16. Aqua reserves the right to raise other defenses as warranted by discovery in this matter.

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

Dated: July 10, 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 AQUA OHIO, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by mail to the following person this 10th day of July, 2015:

Charlotte Paolucci
6201 Lucas Ave.
Ashtabula, OH 44004

/s/ Rebekah J. Glover
One of the Attorneys for Aqua Ohio, Inc.

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Case No(s). 15-1124-WS-CSS

Summary: Answer electronically filed by Ms. Rebekah J. Glover on behalf of Aqua Ohio, Inc.