

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Sandra Barron)	
)	
Complainant,)	
)	
v.)	Case No. 15-1026-EL-CSS
)	
Ohio Edison Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On June 29, 2015, the attorney examiner issued an Entry scheduling a July 17, 2015, settlement conference in this matter.
- (2) On July 14, 2015, Sandra Barron (Ms. Barron or Complainant) contacted the attorney examiner, requesting a continuance of the conference for medical reasons.
- (3) Also on July 14, 2015, Ohio Edison Company (Ohio Edison) filed a request that the attorney examiner clarify language in his June 29, 2015 Entry, which directs Complainant to pay, during the pendency of the complaint, all amounts that are not in dispute, and that Ohio Edison cannot terminate service while the complaint is pending. Ohio Edison observes that Ms. Barron has not paid anything on her account since December 1, 2014, nor has she paid the current amount due from her June 25, 2015 bill, an amount which cannot be disputed, because her June 25 bill was mailed after Ms. Barron filed her complaint on May 28, 2015. Ohio Edison asks that the attorney examiner clarify that, if Complainant fails to pay her June 2015 bill and any subsequent bills while the complaint is pending, Ohio Edison be permitted to disconnect service.
- (4) Regarding Ms. Barron's request to reschedule the settlement conference, the attorney examiner finds that the conference shall take place on August 17, 2015, at 1:00 p.m. at the Commission offices, 180 East Broad Street, 12th floor,

Conference Room 1246, Columbus, Ohio 43215-3793. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution 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 process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

The parties should bring with them all documents relevant to this matter. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

- (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 authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (6) Regarding Ohio Edison's request for clarification, the attorney examiner finds that Complainant's June 25, 2015 bill and any subsequent bills cannot be in dispute, as such bills were generated after the May 28, 2015, filing of her complaint. Thus, nothing in this Entry excuses Ms. Barron from paying all amounts not in dispute, and Ms. Barron is directed to timely pay all billings that she does not dispute in this proceeding. If Ms. Barron does not pay all such bills while the complaint is pending, Ohio Edison is not precluded from disconnecting service to Complainant.
- (7) 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 Complainant pays, while the complaint is pending, bills generated by Ohio Edison after May 28, 2015. It is, further,

ORDERED, That a settlement conference be rescheduled for August 17, 2015, at 1:00 p.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

SEF/sc

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in

Case No(s). 15-1026-EL-CSS

Summary: Attorney Examiner Entry directing Complainant to pay, while the complaint is pending, bills generated by Ohio Edison after 05/28/2015 and scheduling a settlement conference for 08/17/2015 in accordance with Finding (4). - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio