

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	)	
Charlotte Paolucci,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 15-1124-WS-CSS
	)	
Aqua Ohio, Inc.,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On June 17, 2015, Complainant, Charlotte Paolucci, filed a complaint against Respondent, Aqua Ohio, Inc. (Aqua), alleging, among other things, that Aqua, the public utility obligated to provide water service to her home, failed to respond adequately when members of her family repeatedly reported extreme water pressure problems, up to and including receiving no water at all at Complainant's home. The complaint further alleges that Aqua's inadequate response to the problem caused members of Complainant's family to experience serious and specific health problems. Moreover, alleges Complainant, actions taken by Aqua in addressing the situation have resulted in damage to her lawn and driveway, entitling her to compensation.
- (2) By Entry issued July 9, 2015, Aqua was granted an extension of time, until July 10, 2015, to file its answer. Aqua filed its answer on July 10, 2015. In its answer, Aqua admits in part and denies in part the allegations of the complaint and also asserts several affirmative defenses.
- (3) At this time, 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 statement 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 either party from initiating settlement negotiations prior to the scheduled settlement conference.

- (4) Accordingly, a settlement conference shall be scheduled for August 18, 2014, at 10:00 a.m. in Conference Room 1246 of the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. If a settlement is not reached at the conference, the attorney examiner may 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 requisite authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.
- (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 a settlement conference be held on August 18, 2014, at 10:00 a.m. in Conference Room 1246 of the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

By: Daniel E. Fullin  
Attorney Examiner

SEF/dah

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**7/23/2015 2:18:00 PM**

**in**

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

Summary: Attorney Examiner Entry that a settlement conference be held on August 18, 2014, at 10:00 a.m. in Conference Room 1246 of the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215; electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.