

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Bonnie K.)	
Bishop,)	
)	
Complainant,)	
)	
v.)	Case No. 15-1294-EL-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) Duke Energy Ohio, Inc. (Duke or the Company) is an electric distribution utility (EDU) as defined in R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.
- (2) Generally, pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory. Pursuant to R.C. 4928.16, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by an electric services company subject to certification under R.C. 4928.08 of any service for which it is subject to certification.
- (3) On July 13, 2015, Bonnie K. Bishop (Complainant) filed a complaint against Duke. Complainant alleges that Duke subjected her property to multiple surges a day for a five-week period, which resulted in, among other things, damages to her appliances. Further, Complainant alleges she made Duke aware of the problem and the Company failed to properly address it.
- (4) On August 3, 2015, Duke filed its answer to the complaint. Duke denies the allegations and asserts it is not responsible for

the surges and that it properly addressed the issue with the Complainant.

- (5) At this time, the attorney examiner finds that a settlement conference should be scheduled in this matter to discuss settlement of the issues. The purpose of the conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. Nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference. An attorney examiner with the Commission's Legal Department will facilitate the settlement process.
- (6) The settlement conference in this matter is scheduled for 10:00 a.m. on October 6, 2015, at the offices of the Commission, 180 East Broad Street, 12th Floor, Conference Room 1246, Columbus, Ohio 43215-3793. If it becomes apparent that the parties are not likely to settle this matter, the parties should be prepared to discuss a procedural schedule to facilitate the timely and efficient processing of this complaint.
- (7) 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.
- (8) 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 is scheduled for 10:00 a.m. on October 6, 2015, at the offices of the Commission, 180 East Broad Street, 12th Floor, Conference Room 1246, Columbus, Ohio 43215-3793, in accordance with Finding (6). It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Nicholas Walstra

By: Nicholas Walstra
Attorney Examiner

jrj/vrm

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/28/2015 10:18:51 AM

in

Case No(s). 15-1294-EL-CSS

Summary: Attorney Examiner Entry scheduling a settlement conference for October 6, 2015, at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission of Ohio