

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Jimmie)	
Steagall,)	
)	
Complainant,)	
)	
v.)	Case No. 15-837-EL-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On April 27, 2015, Jimmie Steagall (Complainant) filed a complaint against Duke Energy Ohio, Inc. (Duke or Respondent). The Complainant states that he is an electrical contractor who completed electrical service installation at a specified service address which he does not own (and at which a vacant house exists) and, then, upon completing the installation, requested cancellation of service there. Complainant alleges, among other things, that Duke "fails to acknowledge his request to cancel service" at the involved service address, and wants "me to pay for service that I did not use." Complainant further alleges that Duke is "trying to turn off" electrical service at his personal home, based on his failure to pay for the service that has continued at the address of the vacant home, because of Duke's mistake in failing to acknowledge his request to cancel service there. Additionally, the complaint contains allegations regarding the installation, and subsequent turn off, of gas service, by Duke, at the property in question.
- (2) On May 15, 2015, Respondent filed its answer, denying all of the allegations of the complaint and asserting several affirmative defenses.
- (3) A settlement conference occurred in this case on August 11, 2015; however, the parties were unable to resolve the dispute.

- (4) The attorney examiner finds that this case should be scheduled for hearing on November 5, 2015, at 9:30 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.
- (5) All discovery requests should be conducted in accordance with Ohio Adm.Code 4901-1-16 to 4901-1-24.
- (6) Any party intending to present direct, expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing.
- (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 a hearing be held as set forth in Finding (4). It is, further,

ORDERED, That discovery be conducted in accordance with Finding (5). It is, further,

ORDERED, That any party intending to present expert testimony comply with Finding (6). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/dah

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/6/2015 4:17:34 PM

in

Case No(s). 15-0837-EL-CSS

Summary: Attorney Examiner Entry that a hearing be held as set forth in Finding (4); that discovery be conducted in accordance with Finding (5); and that any party intending to present expert testimony comply with Finding (6); electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.