

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JAMES HUMPHREY, et al.,	)	
	)	
Complainants,	)	
	)	
v.	)	Case No. 16-765-GA-CSS
	)	
THE EAST OHIO GAS COMPANY D/B/A	)	
DOMINION EAST OHIO,	)	
	)	
Respondent.	)	

**ANSWER**

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, The East Ohio Gas Company (DEO or the Company), for its answer to the complaint of James and Heidi Humphrey (Complainants), states:

**FIRST DEFENSE**

1. DEO avers that Complainants are not customers of the Company.
2. DEO avers that it installed gas lines on or around the Complainants' property during the time period referenced in the Complaint.
3. DEO avers that a portion of Complainants' concrete driveway was disturbed due to the installation. DEO avers that the disturbed portion of Complainants' driveway was replaced by a third-party subcontractor.
4. DEO 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). DEO neither attests nor concedes to the authenticity of any document attached to the Complaint.

## **AFFIRMATIVE DEFENSES**

### **SECOND DEFENSE**

5. 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 complaint does not contain specific allegations, but generally references attached correspondence and other documents. Any allegations contained in the correspondence and other documents are not clearly specified; such allegations are not in numbered-paragraph, but narrative, form; many of the allegations and statements 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**

6. The claims alleged in the complaint are not within the subject-matter jurisdiction of the Commission.

### **FOURTH DEFENSE**

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

### **FIFTH DEFENSE**

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

### **SIXTH DEFENSE**

9. DEO 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 Complainants' claims.

**SEVENTH DEFENSE**

10. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

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

Dated: May 2, 2016

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 THE EAST OHIO GAS  
COMPANY D/B/A DOMINION EAST OHIO

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was served by mail to the following persons this 2nd day of May, 2016:

James and Heidi Humphrey  
116 Meadow Lane  
Marietta, Ohio 45750

/s/ Rebekah J. Glover  
One of the Attorneys for The East Ohio Gas  
Company d/b/a Dominion East Ohio

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

**Commission of Ohio Docketing Information System on**

**5/2/2016 1:47:44 PM**

**in**

**Case No(s). 16-0765-GA-CSS**

Summary: Answer electronically filed by Ms. Rebekah J. Glover on behalf of The East Ohio Gas Company d/b/a Dominion East Ohio