

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF DONELL BARKER,

COMPLAINANT,

v.

CASE NO. 16-1225-EL-CSS

THE TOLEDO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on September 22, 2016

{¶ 1} On August 10, 2016, Donnell Barker (Complainant) and counsel for The Toledo Edison Company met as scheduled for a settlement conference at the Commission offices. The parties continued settlement discussions during a September 16, 2016, teleconference, but were unable to resolve matters, and Mr. Barker requested a hearing.

{¶ 2} It appears that reasonable grounds for complaint have been presented. Accordingly, a hearing shall be scheduled for 1:00 p.m. on December 8, 2016, at the offices of the Commission, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 3} 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 the commencement of the hearing.

{¶ 4} As is the case in all Commission complaint proceedings, 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).

{¶ 5} It is, therefore,

{¶ 6} ORDERED, That a hearing be scheduled as indicated in Paragraph 2. It is, further,

{¶ 7} ORDERED, That any party intending to present direct, expert testimony comply with Paragraph 3. It is, further,

{¶ 8} ORDERED, That a copy of this Entry be served upon interested 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). 16-1225-EL-CSS

Summary: Attorney Examiner Entry scheduling hearing as indicated in Paragraph 2 and directing any party intending to present direct, expert testimony to comply with Paragraph 3. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio