

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
DON HABEGGER,**

COMPLAINANT,

v.

CASE NO. 16-1208-EL-CSS

THE TOLEDO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on December 2, 2016

{¶ 1} On May 27, 2016, Don Habegger (Complainant) filed this complaint against The Toledo Edison Company (Toledo Edison). In the complaint, Complainant states that he has been wrongly billed for electric service at an apartment that he owns. Further, Complainant states that Toledo Edison automatically switched over the power at the apartment to his name without his permission.

{¶ 2} On June 15, 2016, Toledo Edison filed an answer admitting some and denying other allegations in the complaint. The Company also states that it lacks sufficient knowledge, after reasonable investigation, to either confirm or deny still other allegations.

{¶ 3} On August 4, 2016, a settlement conference was held in an attempt to informally resolve this matter. The parties, however, were unable to reach a resolution of the issues presented in the complaint. Further, it appears that reasonable grounds for complaint have been presented.

{¶ 4} Accordingly, a hearing in this matter should be scheduled to begin at 10:00 a.m. on January 24, 2017, in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 5} Any party intending to present direct expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(l)(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.

{¶ 6} In complaint proceedings, the burden of proof rests with the complainant. Therefore, at hearing, it shall be the complainant's responsibility to appear and be prepared to present evidence in support of the complaint.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That a hearing in this matter be scheduled for January 24, 2017, at 10:00 a.m., in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

{¶ 9} ORDERED, That the terms of this Entry be observed. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Kerry K. Sheets

By: Kerry K. Sheets
Attorney Examiner

jrj/vrm

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in

Case No(s). 16-1208-EL-CSS

Summary: Attorney Examiner Entry scheduling a hearing for January 24, 2017, at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio