

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

DON HABEGGER,)	
)	
Complainant,)	
)	
v.)	Case No. 16-1208-EL-CSS
)	
THE TOLEDO EDISON COMPANY,)	
)	
Respondent.)	
)	

MOTION TO DISMISS OF THE TOLEDO EDISON COMPANY

Respondent The Toledo Edison Company (“Toledo Edison”) hereby moves, pursuant to Rule 4901-9-01(F), Ohio Administrative Code, to have this case dismissed as the Complaint has been satisfied. The Complaint filed by Don Habegger (“Complainant”) alleges that he improperly received a bill in the amount of \$404.66 for his account at 28155 Center, Apt. 6, Millbury, Ohio 43447. Toledo Edison has refunded Complainant and/or credited Complainant’s account associated with the above address the \$404.66 that he disputes. Accordingly, the Complaint has been satisfied and Toledo Edison respectfully requests that the case be dismissed.

Pursuant to Rule 4901-9-01(F), Complainant has twenty days after the service of this motion to file a written response indicating whether Complainant agrees or disagrees with the assertions contained herein and whether Complainant wishes to continue pursuit of this action. If Complainant does not file such a response, the Public Utilities Commission of Ohio may presume that the Complaint has been satisfied and, accordingly, dismiss the Complaint. *See* Ohio Admin. Code 4901-9-01(F).

Respectfully submitted,

/s/ Joshua R. Eckert

Carrie M. Dunn (#0076952)

Counsel of Record

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On behalf of The Toledo Edison
Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss of The Toledo Edison Company was served upon the following by U.S. mail on this 20th day of December, 2016.

Don Habegger
P.O Box 325
Toledo, Ohio 43697

/s/ Joshua R. Eckert
Attorney for The Toledo Edison
Company

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in

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

Summary: Motion to Dismiss of The Toledo Edison Company electronically filed by Mr. Joshua R. Eckert on behalf of The Toledo Edison Company