

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
7950 MENTOR PROPERTY LLC,**

COMPLAINANT,

v.

CASE No. 15-1459-WW-CSS

AQUA OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on January 30, 2017

{¶ 1} By Entry issued November 9, 2016, a hearing in this case was scheduled to occur on December 20, 2016.

{¶ 2} On November 25, 2016, Complainant filed a motion seeking to continue the hearing, proposing that it should not commence any sooner than April 1, 2017. On November 30, 2016, Respondent filed a memorandum contra Complainant's motion, arguing that, even if a continuance were to be granted, that the hearing should occur sooner than the time frame proposed by the Complainant in its November 25, 2016 motion.

{¶ 3} The hearing did not go forward on December 20, 2016, based on the attorney examiner's understanding that the parties were continuing discussions and would soon propose some specific hearing dates that they could agree upon.

{¶ 4} The parties have now proposed to the attorney examiner that the hearing should commence on either February 28 or March 1, 2017. The attorney examiner finds it appropriate to, by this entry, schedule this case for hearing on February 28, 2017.

{¶ 5} Accordingly, a hearing in this matter is hereby scheduled to begin at 10:00 a.m. on February 28, 2017, in the offices of the Commission, Hearing Room 11-A, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

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

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a hearing in this matter be scheduled for February 28, 2017, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-A, Columbus, Ohio 43215-3793. It is, further,

{¶ 10} 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

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in

Case No(s). 15-1459-WW-CSS

Summary: Attorney Examiner Entry ordering a hearing in this matter be scheduled for February 28, 2017, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-A, Columbus, Ohio 43215-3793. Entry electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.