

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>NANCY M. RUSSO,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 17-1142-EL-CSS</b>
	)	
<b>THE CLEVELAND ELECTRIC ILLUMINATING COMPANY,</b>	)	
	)	
	)	
<b>Respondent.</b>	)	
	)	

**ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

The Cleveland Electric Illuminating Company (“CEI” or “Company”) is a public utility as defined by §4905.03(C) of the Ohio Revised Code, and is duly organized and existing under the laws of the State of Ohio. The Complaint of Nancy M. Russo (“Complainant”) consists of one unnumbered page. CEI will attempt to specifically answer each allegation in the Complaint. To the extent CEI does not respond to a specific allegation, CEI denies any such allegation.

Therefore, in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, Respondent CEI for its answer to the Complaint states:

**FIRST DEFENSE**

1. CEI denies it has overbilled Complainant’s account.
2. CEI lacks knowledge or information sufficient to form a belief as to the truth of Complainant’s allegation that “two working people reside in this home,” and, therefore, denies same.
3. CEI admits that Complainant’s bills fluctuate from month to month based on usage. CEI denies, however, that Complainant’s “bills vary wildly.”

4. CEI admits that the Company has asserted that the meter on Complainant's property is reading accurately. Answering further, CEI avers that the meter serving Complainant's property has at all times functioned properly and well within the accuracy parameters established by the Commission.

5. CEI denies any remaining allegations in the Complaint.

In addition to the above responses, CEI further asserts the following affirmative defenses:

**SECOND DEFENSE**

6. The Complaint fails to set forth reasonable grounds for Complaint, as required by Section 4905.26 of the Revised Code.

**THIRD DEFENSE**

7. The Complaint fails to state a claim upon which relief can be granted.

**FOURTH DEFENSE**

8. CEI at all times complied with Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and Tariff, PUCO No. 13, on file with the Public Utilities Commission of Ohio. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

**FIFTH DEFENSE**

9. CEI reserves the right to supplement its answer with other defenses, including affirmative defenses, as discovery progresses in this matter.

WHEREFORE, CEI requests an order dismissing the Complaint and granting CEI any other relief deemed necessary and proper.

Respectfully submitted,

*/s/ Carrie M. Dunn*  
Joshua R. Eckert (#0095715)  
Counsel of Record  
Carrie M. Dunn (#0076952)  
FirstEnergy Service Company  
76 South Main Street  
Akron, Ohio 44308  
Telephone: 330-384-5849  
Facsimile: 330-384-3875  
jeckert@firstenergycorp.com  
cdunn@firstenergycorp.com

*On Behalf of The Cleveland Electric  
Illuminating Company*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer of The Cleveland Electric Illuminating Company was served upon the following by U.S. mail on this 16<sup>th</sup> day of May, 2017.

Michael J. Cheselka, Jr.  
75 Public Square, Suite 920  
Cleveland, Ohio 44113

*Attorney for Complainant*

*/s/ Carrie M. Dunn*  
An Attorney for The Cleveland  
Electric Illuminating Company

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

**Commission of Ohio Docketing Information System on**

**5/16/2017 11:03:34 AM**

**in**

**Case No(s). 17-1142-EL-CSS**

Summary: Answer electronically filed by Ms. Carrie M Dunn on behalf of The Toledo Edison Company and The Cleveland Electric Illuminating Company and Ohio Edison Company