

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JESSICA GOLDSTEIN,

Complainant,

v.

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY¹,**

Respondent.

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Case No. 17-1351-EL-CSS

ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

The Cleveland Electric Illuminating Company (“CEI” or “Company”) is a public utility company 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 Jessica Goldstein (“Complainant”) consists of one unnumbered page containing five (5) unnumbered paragraphs, and eleven (11) unnumbered attachments. CEI will attempt to specifically answer each allegation. 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. As to the allegations contained in the first unnumbered paragraph of the Complaint, CEI admits that, on or about June 23, 2016, employees of CEI were in the vicinity of West Byron

¹ Complainant incorrectly filed this Complaint against “FirstEnergy,” an entity which does not exist. Complainant is a customer of The Cleveland Electric Illuminating Company (a subsidiary of FirstEnergy Corp.) and many of the allegations contained in the Complaint relate to actions taken by and on behalf of The Cleveland Electric Illuminating Company. Thus, The Cleveland Electric Illuminating Company avers that it (and not “FirstEnergy”) is the proper respondent to this Complaint and hereby submits its answer in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code.

Road in Shaker Heights, Ohio, investigating an issue with flickering lights at a residence in the area. Further answering, CEI avers that, while investigating the issue, a CEI employee discovered a loose neutral line in the vicinity of Complainant's residence after the line became detached from the transformer during an inspection. As a result, CEI employees on the scene de-energized the transformer and repaired the line. CEI admits that employees of the Shaker Heights Fire Department ("SHFD") arrived while CEI was repairing the line, and that CEI employees informed an SHFD employee that an issue with the neutral wire had been identified and was being repaired. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in the first unnumbered paragraph of the Complaint and, therefore, denies same.

2. CEI avers that the attachments referenced in the second unnumbered paragraph of the Complaint speak for themselves and, therefore, require no response. To the extent a response is required, CEI denies any allegations related to the attachments referenced in the second unnumbered paragraph of the Complaint. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in the second unnumbered paragraph of the Complaint and, therefore, denies same.

3. As to the allegations contained in the third unnumbered paragraph of the Complaint, CEI admits that Complainant filed a claim with the Company for alleged damage to personal property and that CEI denied the claim. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in the third unnumbered paragraph of the Complaint and, therefore, denies same.

4. As to the allegations contained in the fourth unnumbered paragraph of the Complaint, CEI avers that Complainant has attached to the Complaint a copy of an alleged

“General Home Inspection Report” for her home from 2006 and a copy of an alleged report from an electrical inspection conducted by “Joe The Electrician” in July 2016. CEI avers that these documents speak for themselves and, therefore, no response is required to Complainant’s allegations related to the purported findings of these inspections. To the extent a response is required, CEI denies any allegations. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in the Complaint and, therefore, denies same.

5. CEI avers that the fifth unnumbered paragraph of the Complaint contains no factual allegations to which a response is required. To the extent that a response is required, CEI denies any allegations.

6. CEI denies any remaining allegations in the Complaint.

SECOND DEFENSE

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

THIRD DEFENSE

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

FOURTH DEFENSE

9. CEI at all times complied with the 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

10. 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/ Joshua R. Eckert

Joshua R. Eckert (#0095715)

Counsel of Record

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*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 19th day of June, 2017.

Jessica Goldstein
21112 West Byron Road
Shaker Heights, OH 44122

/s/ Joshua R. Eckert
An Attorney for The Cleveland
Electric Illuminating Company

This foregoing document was electronically filed with the Public Utilities

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in

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Summary: Answer of The Cleveland Electric Illuminating Company electronically filed by Mr. Joshua R. Eckert on behalf of The Cleveland Electric Illuminating Company