

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
CHARLOTTE HOYT,**

COMPLAINANT,

v.

CASE NO. 17-1285-EL-CSS

**THE CLEVELAND ELECTRIC ILLUMINATING
COMPANY,**

RESPONDENT.

ENTRY

Entered in the Journal on July 27, 2017

{¶ 1} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice relating to any service furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 2} Respondent, The Cleveland Electric Illuminating Company (CEI), is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On May 18, 2017, Charlotte Hoyt (Complainant) filed a complaint against CEI alleging inadequacy in CEI's provision of electric utility service to her. More specifically, she alleges, among other things, that CEI was errant and less than diligent in responding to her numerous calls for service on a damaged meter and service pole and, as a result, continued over a period of months to bill her incorrectly based on readings produced by what she considers to be a faulty meter, consequently to charge her for electric service she did not use or receive, and, all along, has refused to provide her the resulting credit or refund to which she feels she is entitled.

{¶ 4} On June 7, 2017, CEI filed its answer, admitting some, but denying other of the allegations of the complaint, and setting forth several affirmative defenses.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} Accordingly, a settlement conference shall be scheduled for August 24, 2017, at 11:00 a.m., at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1247, Columbus, Ohio 43215-3793. The parties should bring with them all documents relevant to this matter. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-26(F) the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues.

{¶ 8} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.*, 5 Ohio St.2d 189, 214 N.E. 2d 666 (1966).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a settlement conference be scheduled for August 24, 2017, at 11:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1247, Columbus, Ohio 43215-3793. It is, further,

{¶ 11} 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

GAP/dah

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/27/2017 9:58:49 AM

in

Case No(s). 17-1285-EL-CSS

Summary: Attorney Examiner Entry ordering a settlement conference be scheduled for August 24, 2017, at 11:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1247, Columbus, Ohio 43215-3793. Entry electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.