

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF MR.  
AND MRS. ANTOINE MOSS,**

**COMPLAINANTS,**

**V.**

**CASE NO. 17-651-EL-CSS**

**THE CLEVELAND ELECTRIC ILLUMINATING  
COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on August 2, 2017

**I. SUMMARY**

{¶ 1} The Commission dismisses this complaint, as the complainant did not participate in settlement conferences scheduled by the attorney examiner and failed to prosecute the matter.

**II. DISCUSSION**

{¶ 2} 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.

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

{¶ 4} On March 6, 2017, Mr. and Mrs. Antoine Moss (Complainants) filed this complaint against CEI. In the complaint, Complainants allege that CEI provided them with inadequate service by failing to correct a problem with the electrical wiring at their residence and that CEI thereby caused damage to their property.

{¶ 5} CEI filed its answer on March 24, 2017. In its answer, CEI admitted some and denied other allegations in the complaint. The Company also stated that it lacks knowledge or information sufficient to form a belief as to the truth of still other allegations. In addition, CEI set forth in the answer several defenses.

{¶ 6} A settlement conference originally was scheduled in this case on May 18, 2017. On that date, an attorney examiner from the Commission and representatives of CEI were present in the conference room; however, Complainants were not in attendance for the settlement conference. Consequently, the conference was not convened.

{¶ 7} Subsequently, upon Complainants' representation that they had not received notice of the May 18, 2017 conference date, the settlement conference was rescheduled to June 9, 2017.

{¶ 8} On June 9, 2017, an attorney examiner from the Commission and representatives of CEI once more were present in the conference room, but Complainants did not appear for the settlement conference. As a result, the conference again was not convened.

{¶ 9} Complainants have not contacted the Commission and explained why they did not attend the scheduled June 9, 2017 settlement conference.

{¶ 10} On June 14, 2017, the attorney examiner issued an entry that offered the Complainants two options: (a) respond in writing to the examiner with regard to whether or not the Complainants wish to proceed to hearing with their complaint, or (b) do nothing and the attorney examiner would recommend that this case be dismissed.

{¶ 11} To date, the Complainants have not contacted the attorney examiner regarding the disposition of their case. Accordingly, the Commission finds that this case should be dismissed and closed as a matter of record.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That this case be dismissed for failure to prosecute the matter. It is, further,

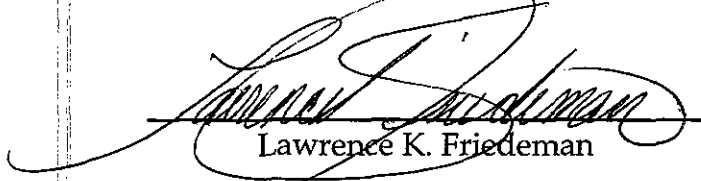
{¶ 14} ORDERED, That a copy of this Entry be served upon each party of record.

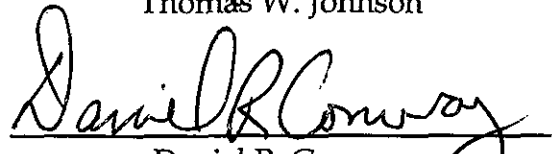
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Asim Z. Haque, Chairman

  
M. Beth Trombold

  
Thomas W. Johnson

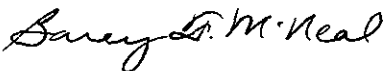
  
Lawrence K. Friedeman

  
Daniel R. Conway

KKS/vrm

Entered in the Journal

**AUG 02 2017**



Barcy F. McNeal  
Secretary