

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
PETER ROHLOFF,**

COMPLAINANT,

v.

CASE NO. 17-1721-EL-CSS

THE TOLEDO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on September 13, 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} The Toledo Edison Company (Toledo Edison) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On August 2, 2017, Peter Rohloff (Complainant) filed a complaint against Toledo Edison. The Complainant believes that there is an error in his billing. He alleges that his kilowatt hour (kWh) usage increased from 3 to 255 for the month of June. His July bill shows that he consumed 214 kWh. The Complainant uses solar panels to reduce his electricity consumption. For relief, the Complainant requests a corrected bill and credit for the months of June and July. The Complainant notes that Toledo Edison has charged him \$295 for the replacement of a meter. The Complainant believes that Toledo Edison should bear the cost of the meter change.

{¶ 4} At this time, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. In

accordance with Ohio Adm.Code 4901-1-26, any statement made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible in future proceedings in this case or be admissible to prove liability or invalidity of a claim. Nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference. An attorney examiner with the Commission's Legal Department will facilitate the settlement process.

{¶ 5} Accordingly, a settlement conference shall be scheduled for October 4, 2017, at 10:00 a.m., in Room 1246, at the offices of the Commission, 12th Floor, 180 East Broad Street, Columbus, Ohio 43215. If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 6} Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the Respondent shall investigate the issues raised in the complaint prior to the settlement conference, and all parties participating in the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, parties participating in the settlement conference should have with them all documents relevant to this matter.

{¶ 7} 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).

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a settlement conference be scheduled for October 4, 2017, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ L. Douglas Jennings

By: L. Douglas Jennings
Attorney Examiner

jrj/vrm

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Summary: Attorney Examiner Entry scheduling October 4, 2017, settlement conference; electronically filed by Vesta R Miller on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio