

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
GREGORY PECK,**

COMPLAINANT,

v.

CASE NO. 16-2338-EL-CSS

DUKE ENERGY OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on September 15, 2017

{¶ 1} By Entry issued August 28, 2017, a hearing in this matter was scheduled to occur on October 4, 2017, at the Commission's offices.

{¶ 2} Since then, based on a scheduling need of Complainant, the parties have been consulting informally with each other and with the attorney examiner in an effort to have the hearing rescheduled to a later date, occurring after October 30, 2017.

{¶ 3} Upon consultation with both parties, the attorney examiner finds that the hearing in this case, previously scheduled for October 4, 2017, should, by this Entry, be rescheduled to occur, instead, on November 2, 2017, at 10:00 a.m., at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.

{¶ 4} All discovery requests should be conducted in accordance with Ohio Adm.Code 4901-1-16 to 4901-1-24.

{¶ 5} Any party intending to present direct expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony to be offered

in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing.

{¶ 6} In complaint proceedings before the Commission, 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). Therefore, at hearing, it shall be Complainant's responsibility to appear and present evidence in support of the complaint.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the hearing in this matter previously scheduled for October 4, 2017, is hereby rescheduled to occur, instead, on November 2, 2017, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793. It is, further,

{¶ 9} 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

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in

Case No(s). 16-2338-EL-CSS

Summary: Attorney Examiner Entry orders the hearing in this matter previously scheduled for October 4, 2017, be rescheduled to occur, instead, on November 2, 2017, at 10:00 a.m. at the Commission offices, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793. Entry electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.