

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

MID-OHIO DEVELOPMENT CORP.,)	
)	
Complainant,)	
)	
v.)	Case No. 17-2060-GA-CSS
)	
THE EAST OHIO GAS COMPANY D/B/A)	
DOMINION ENERGY OHIO,)	
)	
Respondent.)	

ANSWER

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO or the Company), for its answer to the complaint of Mid-Ohio Development Corp. (Complainant), states:

FIRST DEFENSE

1. DEO is without sufficient knowledge to admit or deny the truth of the allegations of paragraph 1 of the Complaint.
2. DEO admits the allegations of paragraph 2 of the Complaint.
3. DEO is without sufficient knowledge to admit or deny the truth of the allegations of paragraph 3 of the Complaint.
4. DEO is without sufficient knowledge to admit or deny the truth of the allegations of paragraph 4 of the Complaint.
5. DEO is without sufficient knowledge to admit or deny on what date Complainant executed the Dominion Residential Developer Subdivision Line Extension Agreement (the Agreement). DEO avers that paragraph 5 of the Complaint otherwise describes the Agreement,

which speaks for itself, and no response is required. DEO denies that the Agreement is relevant to the installation of or cost responsibility for service lines.

6. DEO is without sufficient knowledge to admit or deny the truth of the allegations of paragraph 6 of the Complaint.

7. DEO avers that based on national safety codes and its own safety policies, the Company requires the installation of one service line per building where such installation is feasible and that it determined that such installation was feasible in this situation. DEO is without sufficient knowledge to admit or deny the truth of the remaining allegations of paragraph 7 of the Complaint, on the basis that it does not understand the allegations, in particular whether the allegations are referring to the installation of main lines, service lines, or both.

8. DEO denies the allegations of paragraph 8 of the Complaint. DEO avers that the Agreement pertains to the extension of main lines and does not pertain to cost responsibility for service lines. DEO avers that under its tariffs the Company is generally responsible for the costs of installing and maintaining service lines.

9. DEO denies the allegations of paragraph 9 of the Complaint.

10. DEO is without sufficient knowledge to admit or deny the truth of any allegations contained in paragraph 10 of the Complaint.

AFFIRMATIVE DEFENSES

SECOND DEFENSE

11. The Complaint fails to set forth reasonable grounds for complaint, as required by R.C. 4905.26.

THIRD DEFENSE

12. The Complaint does not set forth a claim for which relief may be granted.

FOURTH DEFENSE

13. The Complaint is barred by laches, waiver, and estoppel.

FIFTH DEFENSE

14. DEO 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 the Company's tariffs. These statutes, rules, regulations, orders and tariff provisions bar Complainant's claims.

SIXTH DEFENSE

15. DEO reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, DEO respectfully requests an Order dismissing the Complaint and granting it all other necessary and proper relief.

Dated: October 18, 2017

Respectfully submitted,

/s/ Andrew J. Campbell

Mark A. Whitt (0067996)

Andrew J. Campbell (0081485)

Rebekah J. Glover (0088798)

WHITT STURTEVANT LLP

The KeyBank Building, Suite 1590

88 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3946

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

campbell@whitt-sturtevant.com

glover@whitt-sturtevant.com

(All counsel are willing to accept service by email)

ATTORNEYS FOR THE EAST OHIO GAS
COMPANY D/B/A DOMINION ENERGY OHIO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by electronic mail to the following person this 18th day of October, 2017:

Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
614-464-5401
smhoward@vorys.com

/s/ Rebekah J. Glover
One of the Attorneys for The East Ohio Gas
Company d/b/a Dominion Energy Ohio

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/18/2017 4:06:42 PM

in

Case No(s). 17-2060-GA-CSS

Summary: Answer electronically filed by Ms. Rebekah J. Glover on behalf of The East Ohio Gas Company d/b/a Dominion Energy Ohio