

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of	)	
	)	
Interstate Gas Supply, Inc.	)	
dba IGS Energy	)	
6100 Emerald Parkway	)	
Dublin, Ohio 43016	)	
	)	
Complainant,	)	
	)	Case No. 17-2452-GE-CSS
v.	)	
	)	
Titan Gas LLC	)	
d/b/a Titan Gas & Power	)	
3355 W. Alabama St., Suite 1170	)	
Houston, Texas 77098	)	
	)	
Respondent.	)	

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**TITAN GAS LLC D/B/A TITAN GAS & POWER’S ANSWER TO COMPLAINT**

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Pursuant to Ohio Administrative Code (“O.A.C.”) Rule 4901-9-01(D), Titan Gas LLC d/b/a Titan Power & Gas (“Titan”) hereby answers the complaint (“Complaint”) of Interstate Gas Supply, Inc. d/b/a IGS Energy (“IGS”) filed December 1, 2017, in the above-captioned proceeding as follows:

**Parties**

1. Titan denies the allegations contained in paragraph 1 of the Complaint for lack of knowledge or information sufficient to form a belief as to their truth.
2. Titan admits the allegations contained in paragraph 2 of the Complaint.

3. Titan denies the allegations contained in paragraph 1 of the Complaint for lack of knowledge or information sufficient to form a belief as to their truth.

### **Jurisdiction**

4. Titan admits that the Ohio Revised Code speaks for itself. Titan denies that the PUCO has jurisdiction to provide the equitable relief Complainant requests.

### **Background**

5. Titan admits the allegations contained in paragraph 5 of the Complaint.

6. Titan admits the allegations contained in paragraph 6 of the Complaint.

7. Titan denies the allegations contained in paragraph 7 of the Complaint.

8. Titan denies the allegations contained in paragraph 8 of the Complaint for lack of knowledge or information sufficient to form a belief as to their truth.

9. Titan admits that it is “not affiliated” with “IDS Energy.” Titan denies the remaining allegations contained in paragraph 9 of the Complaint for lack of knowledge or information sufficient to form a belief as to their truth.

10. Titan denies the allegations contained in paragraph 10 of the Complaint for lack of knowledge or information sufficient to form a belief as to their truth.

11. Titan denies the allegations contained in paragraph 11 of the Complaint.

12. Titan denies the allegations contained in paragraph 12 of the Complaint.

13. Titan denies the allegations contained in paragraph 13 of the Complaint.

### **FIRST CLAIM**

#### **Misrepresentation in Violation of Ohio Admin. Code 4901:1-21-05(C) and R.C. 4928.10**

14. Titan incorporates by reference all of the preceding paragraphs as if fully rewritten herein.

15. Titan denies the allegations contained in paragraph 15 of the Complaint.

16. Titan denies the allegations contained in paragraph 16 of the Complaint.

**SECOND CLAIM**

**Misrepresentation in Violation of Ohio Admin. Code 4901:1-29-05(D) and R.C. 4929.22**

17. Titan incorporates by reference all of the preceding paragraphs as if fully rewritten herein.

18. Titan denies the allegations contained in paragraph 18 of the Complaint.

19. Titan denies the allegations contained in paragraph 19 of the Complaint.

**THIRD CLAIM**

**Claim That a Specific Price Advantage, Savings, or Guarantee Exists if it Does Not in Violation of Ohio Admin. Code 4901:1-29-05(D)(8)(a), 4901:1-21-05(C)(8)(a), R.C. 4928.10 and R.C. 4929.22**

20. Titan incorporates by reference all of the preceding paragraphs as if fully rewritten herein.

21. Titan admits that the Ohio Administrative Code speaks for itself. Titan denies the remaining allegation of paragraph 21 of the Complaint.

**FOURTH CLAIM**

**Engaging in any solicitation that will lead the customer to believe that the CRES or CRNG provider or its agent is soliciting on behalf of or is an agent of any entity other than the CRES or CRNG in Violation of Ohio Admin. Code 4901:1-29-05(D)(5), 4901:1-21-05(C)(10), R.C. 4928.10 and R.C. 4929.22**

22. Titan incorporates by reference all of the preceding paragraphs as if fully rewritten herein.

23. Titan admits that the Ohio Administrative Code speaks for itself. Titan denies the allegation that IDS Energy is not certified with the Commission or registered with the State of Ohio for lack of knowledge or information sufficient to form a belief as to their truth. Titan denies the remaining allegations of paragraph 23 of the Complaint.

## AFFIRMATIVE DEFENSES

Titan hereby sets forth its affirmative defenses to the claims asserted in the Complaint as follows:

24. Complainants' claims are barred in whole or in part for failure to state a claim upon which relief can be granted.
25. Complainants' claims are barred in whole or in part because the Commission does not have jurisdiction to award treble damages under Ohio Rev. Code 4905.61.
26. Complainants' claims are barred in whole or in part because the Commission does not have jurisdiction to award the equitable relief requested.
27. Complainant has not sustained damages.

Respectfully submitted on behalf of,  
TITAN GAS LLC  
D/B/A TITAN GAS & POWER



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the forgoing Answer has been served upon the following parties listed below electronic mail, this 22<sup>nd</sup> day of December 2017.



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Dylan F. Borchers

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Summary: Answer of Titan Gas LLC d/b/a Titan Power & Gas electronically filed by Teresa Orahoad on behalf of Dylan F. Borchers