

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	:	
Michael A. Dane,	:	
	:	
Complainant,	:	Case No. 16-1971-EL-CSS
	:	
v.	:	
	:	
Ohio Power Company d/b/a AEP Ohio,	:	
	:	
Respondent.	:	

**RESPONSE OF RESPONDENT OHIO POWER COMPANY TO COMPLAINANT
MICHAEL A. DANE’S CORRESPONDENCE FILED DECEMBER 21, 2017**

Pursuant to Rule 4901-1-12(B)(1) of the Ohio Administrative Code, Respondent Ohio Power Company (“AEP Ohio”) hereby responds to the correspondence that Complainant Michael A. Dane filed in this case on December 21, 2017. The Public Utilities Commission of Ohio (“Commission”) dismissed this case with prejudice on August 16, 2017, it was closed of record effective December 4, 2017, and it has been reopened in response to Mr. Dane’s most recent correspondence.

Although somewhat unclear, Mr. Dane’s correspondence, like his Complaint in this case, does not appear to raise any new allegation or complaint against AEP Ohio. Rather, the substance of the correspondence appears to relate to issues that were the subject of Case No. 15-1638-EL-CSS. Both that case and this one, however, have been dismissed with prejudice, and the time for Mr. Dane to seek rehearing of or otherwise challenge those dismissals has long since passed.¹ The Commission, therefore, should disregard Mr. Dane’s most recent, untimely filing.

¹ The Public Utilities Commission of Ohio (“Commission”) dismissed Case No. 15-1638-EL-CSS on April 7, 2016, in response to AEP Ohio’s December 29, 2015 motion to dismiss that case with prejudice. *See* Case No. 15-1638-EL-CSS, Entry (Apr. 7, 2016). Mr. Dane neither responded to AEP Ohio’s motion to dismiss nor applied for rehearing of the Commission’s Entry dismissing that complaint.

Moreover, although AEP Ohio is not aware of any new or current issues with Mr. Dane's account, to the extent Mr. Dane wishes to file a new complaint against AEP Ohio or raise new claims (that were not already the subject of previous complaints that have been dismissed with prejudice), he should be required to do so in conformance with the Commission's rules by filing a new complaint in a new docket, not by making additional filings in this closed proceeding.

For each of these reasons, AEP Ohio submits that the Commission should disregard Mr. Dane's December 21, 2017 correspondence and again close this case of record.

Respectfully submitted,

/s/ Christen M. Blend

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**Counsel for Respondent
Ohio Power Company**

The Commission dismissed this case with prejudice on August 16, 2017, in response to AEP Ohio's April 3, 2017 renewed motion to dismiss, which was predicated upon Mr. Dane's failure twice to appear for a settlement conference. *See* Entry (Aug. 16, 2017). Mr. Dane neither responded to AEP Ohio's renewed motion to dismiss nor applied for rehearing of the Commission's August 16, 2017 Entry.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and accurate copy of the foregoing was served upon Complainants at the address listed below by regular U.S. mail, postage, prepaid, on this 3rd day of January, 2018.

Michael A. Dane
1268 S. High Street #9
Columbus, Ohio 43206

Complainant

/s/ Christen M. Blend

Christen M. Blend

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Case No(s). 16-1971-EL-CSS

Summary: Response -Response of Respondent Ohio Power Company to Complainant Michael A. Dane's Correspondence filed December 21, 2017 electronically filed by Ms. Christen M. Blend on behalf of Ohio Power Company