

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>LARS ST. JOHN,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	<b>Case No. 18-0123-EL-CSS</b>
<b>v.</b>	)	
	)	
<b>THE CLEVELAND ELECTRIC ILLUMINATING COMPANY,</b>	)	
	)	
<b>Respondent.</b>	)	
	)	

**ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

The Cleveland Electric Illuminating Company (“CEI” or “Company”) is a public utility company as defined by §4905.03(C) of the Ohio Revised Code, and is duly organized and existing under the laws of the State of Ohio. The Complaint of Lars St. John (“Complainant”) consists of one unnumbered page containing one unnumbered paragraph. CEI will attempt to answer each allegation. For ease of reference, CEI has attempted to provide each of Complainant’s specific allegations in *italics* prior to providing the Company’s response. To the extent CEI does not respond to a specific allegation, CEI denies any such allegation.

Therefore, in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, Respondent CEI for its answer to the Complaint states:

**FIRST DEFENSE**

1.     *In July I called Illuminating Co. to cancel my payment/installment plan.*

Response: CEI denies this allegation.

2.     *However looking over Sept 2017 bill I realized it hadn’t been cancelled.*

Response: CEI admits that Complainant was on an installment payment plan at the time Complainant’s September 2017 bill was issued. CEI lacks knowledge or information

sufficient to form a belief as to the truth of the remainder of this allegation and, therefore, denies same.

3. *I called in Sept 2017; speaking with a supervisor to ensure the cancellation.*

Response: CEI admits that the Company received several phone calls from Complainant in September 2017 regarding his account. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remainder of this allegation and, therefore, denies same.

4. *Based on the hostile conversation, out of retaliation, the supervisor elected to add a \$59.00 security deposit to my next bill (Aug 27 to Sept. 27) as a "misc. charge."*

Response: CEI denies that a security deposit was added to Complainant's account "out of retaliation." By way of further response, CEI avers that a security deposit was added to Complainant's account on or about September 20, 2017, due to an outstanding balance existing on Complainant's account for consecutive months. CEI further avers that Complainant received notice on his August 2017 bill that "[i]f future payments are not made in a timely manner, [Complainant] may be required to pay a security deposit equal to 130 percent of [Complainant's] estimated average bill." Complainant subsequently failed to make a full and timely payment on his August 2017 bill.

5. *I would like for the charge to be removed from my account.*

Response: The above statement is a request for relief to which no response is required. To the extent a response is required, CEI denies any factual allegations and denies that Complainant is entitled to the relief requested. By way of further response, CEI avers that the security deposit in question was removed from Complainant's account upon successful enrollment

in the Percentage of Income Payment Plan (PIPP) program and credited against Complainant's outstanding balance on the account.

6. *I'm now enrolled in PIPP w/ a min/ \$10.00 payment.*

Response: CEI admits this allegation. By way of further response, CEI avers that Complainant was enrolled in the PIPP program on or about December 28, 2017, and has a minimum PIPP payment of \$10.00 per month.

7. *For the reasons stated above; the "misc" charge should be removed.*

Response: The above statement is a request for relief to which no response is required. To the extent a response is required, CEI denies any factual allegations and denies that Complainant is entitled to any such relief. By way of further response, CEI avers that the security deposit in question was removed from Complainant's account upon successful enrollment in the PIPP program and credited against Complainant's outstanding balance on the account.

8. CEI denies any remaining allegations in the Complaint.

### **AFFIRMATIVE DEFENSES**

In addition to the above, CEI offers the following affirmative defenses in response to the Complaint:

### **SECOND DEFENSE**

9. The Complaint fails to set forth reasonable grounds for Complaint as required by Section 4905.26 of the Revised Code.

### **THIRD DEFENSE**

10. The Complaint fails to state a claim upon which relief can be granted.

### **FOURTH DEFENSE**

11. CEI 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 Tariff PUCO No. 13, on file with the Public Utilities Commission of Ohio. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

### **FIFTH DEFENSE**

12. CEI reserves the right to supplement its answer with other defenses, including affirmative defenses, as discovery progresses in this matter.

WHEREFORE, Ohio Edison respectfully requests an order dismissing the Complaint and granting CEI any other relief deemed necessary and proper.

Respectfully submitted,

*/s/ Carrie M. Dunn-Lucco*  
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*Attorneys for The Cleveland Electric  
Illuminating Company*

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer of The Cleveland Electric Illuminating Company was served upon the following by U.S. mail on this 12<sup>th</sup> day of February 2018.

Lars St. John  
1352 Clarence Apt. 5  
Lakewood, Ohio 44107

*s/Carrie M. Dunn-Lucco*  
An Attorney for The Cleveland  
Electric Illuminating Company

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 18-0123-EL-CSS**

Summary: Answer electronically filed by Ms. Carrie M Dunn-Lucco on behalf of The Cleveland Electric Illuminating Company