

PAULA SMOTHERMAN
4921 Pepperwood Drive
Dayton, Ohio 45424

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Complainant,

The Dayton Power and Light Company
1065 Woodman Drive
Dayton, Ohio 45432

Respondent.

Now comes the Dayton Power and Light Company (“DP&L” or “Respondent” or “the Company”), by and through counsel, and for its answer to the Complaint filed in this docket by Paula Smotherman (“Complainant”), hereby states as follows:

1. On or about March 1, 2018, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by Complainant alleging generally that DP&L improperly charged Complainant.
2. DP&L admits that it issued a bill to Complainant in February 2017 that was due March 9, 2017, which included a \$0.00 generation supply charge.
3. DP&L admits Complainant’s July 2017 bill, which was due August 7, 2017, included a \$22.06 “billing adjustment” by AEP Energy, Inc.
4. DP&L admits Complainant’s October 2017 bill, which was due November 7, 2017, contained a \$22.06 credit “billing adjustment” by AEP Energy, Inc.
5. DP&L admits that Complainant paid the October 2017 bill in an amount less than what was due.

6. The Respondent, DP&L, denies or is without sufficient knowledge to ascertain the veracity of the remaining allegations as described in the Complaint and therefore denies the same. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs.

FIRST AFFIRMATIVE DEFENSE

7. The Complainant fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

SECOND AFFIRMATIVE DEFENSE

8. The Complainant fails to state a claim upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

9. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FOURTH AFFIRMATIVE DEFENSE

10. DP&L reserves the right to raise any additional affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent respectfully requests that the Commission dismiss DP&L from this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with the Complainant to determine whether a mutually acceptable resolution is possible.

Respectfully submitted,

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

*Counsel of Record

The Dayton Power and Light Company

1065 Woodman Drive

Dayton, OH 45432

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Attorney for The Dayton Power and Light
Company

(willing to accept electronic service)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via ordinary mail,
postage prepaid, this 13th day of April, 2018 to the following:

Paula Smotherman
4921 Pepperwood Drive
Dayton, Ohio 45424

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 18-0379-EL-CSS

Summary: Answer , Motion to Dismiss, and Request for Mediation of the Dayton Power and Light Company electronically filed by Mrs. Jessica E Kellie on behalf of The Dayton Power and Light Company