

## THE PUBLIC UTILITIES COMMISSION OF OHIO

### IN THE MATTER OF THE COMPLAINTS OF:

JOSEPH GROSSI	CASE No. 17-2126-EL-CSS
FU WONG AND PEONY LO	CASE No. 17-2170-EL-CSS
MELISSA AND PETER BROOME	CASE No. 17-2173-EL-CSS
MELISA KUHNE	CASE No. 17-2176-EL-CSS
JIM AND LAURA HAID	CASE No. 17-2181-EL-CSS
OLGA STAIOS	CASE No. 17-2182-EL-CSS
SHANA BERGE	CASE No. 17-2183-EL-CSS
GREGORY HOETING	CASE No. 17-2184-EL-CSS
RICHARD AND CAROL TENENHOLTZ	CASE No. 17-2185-EL-CSS
R. ALLEN PANCOAST	CASE No. 17-2187-EL-CSS
PAUL AND KAREN SMITH	CASE No. 17-2188-EL-CSS
JASON DIMACULANGAN	CASE No. 17-2191-EL-CSS
JOHN GUMP	CASE No. 17-2192-EL-CSS
MELISSA AND BRIAN WEISS	CASE No. 17-2195-EL-CSS
EVELYN AND TOM KING	CASE No. 17-2201-EL-CSS
ANNE WYMORE	CASE No. 17-2203-EL-CSS
JOHN AND SALLY RIESTER	CASE No. 17-2205-EL-CSS
PHILIP GRIGGS	CASE No. 17-2206-EL-CSS
SHARON M. FELMAN	CASE No. 17-2211-EL-CSS
ANITA DEYE	CASE No. 17-2213-EL-CSS
CLIFFORD W. FAUBER	CASE No. 17-2214-EL-CSS
NICOLE MENKHAUS	CASE No. 17-2219-EL-CSS
JAMES WULKER	CASE No. 17-2222-EL-CSS
TIMOTHY WILSON	CASE No. 17-2223-EL-CSS
SANDRA NUNN	CASE No. 17-2224-EL-CSS
SANFORD AND BARBARA CASPER	CASE No. 17-2268-EL-CSS
MARK AND CALISSA THOMPSON	CASE No. 17-2269-EL-CSS
MICHAEL PREISSLER	CASE No. 17-2302-EL-CSS
PATRICIA MCGILL	CASE No. 17-2314-EL-CSS
DANA AND JOY STELLER	CASE No. 17-2315-EL-CSS
MARC WAHLQUIST	CASE No. 17-2316-EL-CSS
GARY PAULY	CASE No. 17-2320-EL-CSS
STEVE AND Nanci SCHMIDT	CASE No. 17-2335-EL-CSS

KATHLEEN DANNER  
MR. AND MRS. JEFFREY R. SIMS  
RANDALL J. FICK,

CASE NO. 17-2338-EL-CSS  
CASE NO. 17-2343-EL-CSS  
CASE NO. 17-2467-EL-CSS

COMPLAINANTS,

v.

DUKE ENERGY OHIO, INC.,

RESPONDENT.

## ENTRY

Entered in the Journal on May 16, 2018

### I. SUMMARY

{¶ 1} The Commission approves the requests of the individuals named above to withdraw their individual complaints in their respective cases without prejudice.

### II. DISCUSSION

{¶ 2} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice relating to any service furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 3} Respondent, Duke Energy Ohio, Inc. (Duke or Company), is a public utility as defined in R.C. 4905.02. As such, Duke is subject to the Commission's jurisdiction.

{¶ 4} Between October and December 2017, the homeowners in the above-titled case captions (Complainants), who are located in Symmes Township, Ohio and the city of Montgomery, filed cases with the Commission against Duke. Complainants alleged Duke is negatively impacting property values by clear cutting and obliterating (as opposed to tree trimming) all trees located within a 100-foot right-of-way under transmission wires. Many of the Complainants also requested the Commission grant them a motion to stay Duke from further clear cutting until the Commission ruled on the matter. They noted that without

Commission involvement, Duke would begin cutting down the trees on their properties on October 30, 2017.

{¶ 5} Subsequently, in February 2018, Complainants filed motions to dismiss their individual complaints without prejudice. Complainants noted that they had joined Case No. 17-2344-EL-CSS with other similarly situated individuals, and no longer wish to pursue their individual complaints.

{¶ 6} The Commission finds that the Complainants' motions to dismiss their individual complaints without prejudice are reasonable and should be granted.

### III. ORDER

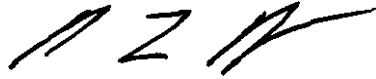
{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the Complainants' motions to dismiss Case Nos. 17-2126-EL-CSS, 17-2170-EL-CSS, 17-2173-EL-CSS, 17-2176-EL-CSS, 17-2181-EL-CSS, 17-2182-EL-CSS, 17-2183-EL-CSS, 17-2184-EL-CSS, 17-2185-EL-CSS, 17-2187-EL-CSS, 17-2188-EL-CSS, 17-2191-EL-CSS, 17-2192-EL-CSS, 17-2195-EL-CSS, 17-2201-EL-CSS, 17-2203-EL-CSS, 17-2205-EL-CSS, 17-2206-EL-CSS, 17-2211-EL-CSS, 17-2213-EL-CSS, 17-2214-EL-CSS, 17-2219-EL-CSS, 17-2222-EL-CSS, 17-2223-EL-CSS, 17-2224-EL-CSS, 17-2268-EL-CSS, 17-2269-EL-CSS, 17-2302-EL-CSS, 17-2314-EL-CSS, 17-2315-EL-CSS, 17-2316-EL-CSS, 17-2320-EL-CSS, 17-2335-EL-CSS, 17-2338-EL-CSS, 17-2343-EL-CSS, and 17-2467-EL-CSS without prejudice be granted. It is, further,

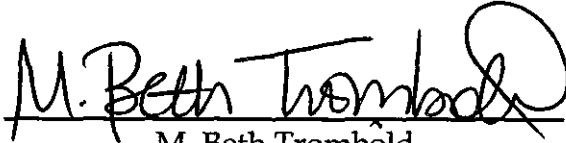
{¶ 9} ORDERED, That these cases be closed of record. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



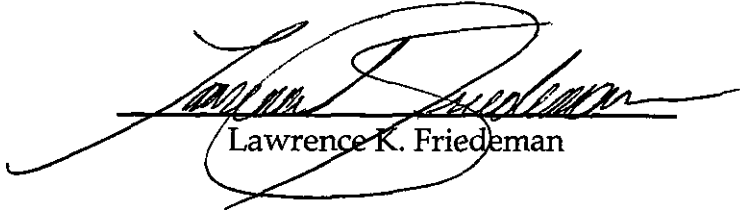
Asim Z. Haque, Chairman



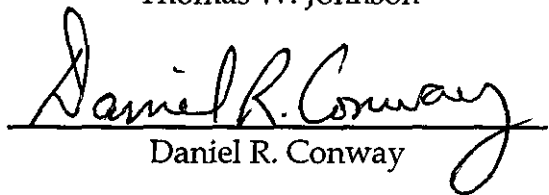
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman

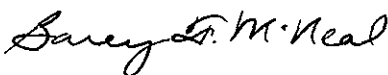


Daniel R. Conway

AS/LLA/vrm

Entered in the Journal

MAY 16 2018



Barcy F. McNeal  
Secretary