

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF HARRY REEVES,

COMPLAINANT,

v.

CASE NO. 18-711-EL-CSS

OHIO POWER COMPANY DBA AEP OHIO,

RESPONDENT.

ENTRY

Entered in the Journal on May 21, 2018

{¶ 1} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility or an electric services company 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.

{¶ 2} Ohio Power Company dba AEP Ohio (AEP) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On April 18, 2018, Harry Reeves (Complainant) filed a complaint against AEP, alleging excessively high bills for February 2018 through March 2018. Complainant asserts that electricians have checked his major appliances, but were unable to find any cause for the high bills, and he adds that his home is heated by a “wood burner.” Finally, Complainant states that AEP has refused to replace the meter, but he admits that, when the meter was tested, it was found to be operating within two percent of total accuracy.

{¶ 4} On May 7, 2018, AEP filed its answer and a motion to dismiss. AEP admits that Complainant’s meter was checked and found to be operating at 99.82 percent accuracy on a full load and 99.78 percent accuracy on a light load. AEP denies other

allegations made by Complainant. AEP contends that Mr. Reeves did not specify reasonable grounds for complaint, because he has not alleged that AEP violated any statute, tariff, rule, regulation, or order of the Commission, and Complainant concedes that his meter is within two percent of total accuracy. AEP proposes that the case be dismissed with prejudice.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} Accordingly, a settlement conference shall be scheduled for June 27, 2018, at 10:30 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. The parties should bring with them all documents relevant to this matter. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-26(F) the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues.

{¶ 8} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E. 2d 666 (1966).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a settlement conference be scheduled for June 27, 2018, at 10:30 a.m. at the Commission offices, 180 East Broad Street, 12th floor, Conference Room 1246, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 18-0711-EL-CSS

Summary: Attorney Examiner Entry scheduling settlement conference for 06/27/2018 in accordance with Paragraph 6 - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio