

FILE

May 21, 2018

ATTN: Anna Sanyal, Attorney Examiner
PUBLIC UTILITIES COMMISSION OF OHIO
180 E. Broad St.
Columbus, Ohio 43215-3793
Facsimile: (614) 466-0313

FAX

2018 MAY 21 PM 2:03

Case No. 17-2536-GA-CSS

Dear Ms. Sanyal:

On May 16, 2018, the Commission issued its Entry in Case No. 17-2536-GA-CSS. The Commission among other things granted Columbia's request to stay the requirements to file responsive pleadings "unless and until directed by the Commission or an attorney examiner." In Complaint Case, Entry (May 16, 2018). On May 17, 2018, complainant filed an application for rehearing, see ¶¶ 1-3. For the reasons expressed below, the Complainant respectfully requests that you or the Commission direct Columbia to file an answer or other responsive pleading to his meritorious May 17, 2018, Motion for Rehearing which is incorporated herein by reference.

On August 30, 2017, after a hearing was held, the Commission issued its Opinion and Order in Case No. 15-873-GA-CSS. The Commission found that Complainant had met his burden of proof relative to the first issue and Columbia had failed to provide a disconnection notice in a conspicuous location at the premises on the date of disconnection. Complainant filed a correspondence dated May 17, 2018, which was actually submitted for filing on May 14, 2018, stating that Columbia is still not in compliance with the PUCO's rules concerning termination of his natural gas service, in a new claim stemming from events that occurred subsequent to his May 2015 Complaint in the First Complaint. Complainant also stated that Columbia had again failed to provide a disconnection notice in a conspicuous location at the premises on the date of disconnection which was on May 3, 2018. The Commission should again find that Complainant had met his burden of proof relative to the first issue and Columbia had failed to provide a disconnection notice in a conspicuous location at the premises on the date of disconnection which was this time on May 3, 2018 in the Second Complaint case. Complainant further alleged that Columbia wrongly disconnected gas service on May 3, 2018, despite an agreement or promise to pay being in place up to and including the end of business on May 3, 2018. Columbia reneged on the April 19, 2018 agreement that both parties had agreed to.

The Complainant is clear in his correspondence dated May 17, 2018, that the allegations against Columbia is a new allegation that has not been previously raised; that the allegation could not have been raised in a prior complaint because such event occurred on May 3, 2018, which was clearly subsequent to his May 2015 Complaint in the First Complaint; and is an allegation that is not a consequence of any of the Commission's prior decisions in a complaint case initiated by the Complainant, including but not limited to the Commission's Entry filed herein on May 16, 2018. Because the Complainant is in compliance with the Commission's directives, or is acting in accordance with Paragraph 19, of the Commission's Entry (May 16, 2018), the Complainant respectfully requests that you direct Columbia to file an answer or other

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responsive pleading to his May 17, 2018, Motion for Rehearing forthwith. Accordingly, the Commission's Entry issued on May 16, 2018, should be reversed and the complainant's formal written correspondence for Complaint Case No. 17-2536-GA-CSS dated May 7, 2018, should be granted in the complainant's favor. See Application for Rehearing dated May 17, 2018, at ¶3.

Moreover, the Commission should issue an Entry on Rehearing granting rehearing for the limited purpose of further consideration of the matters raised in Complainant's application for rehearing filed herein on May 17, 2018, which was filed one day after its May 16, 2018 Entry. Therefore, the Commission's Entry issued on May 16, 2018, should be reversed based upon a clear mistake of law or clear mistake fact and the complainant's formal written correspondence for Complaint Case No. 17-2536-GA-CSS dated May 7, 2018, should be granted in the complainant's favor. See Application for Rehearing dated May 17, 2018, at ¶3.

If you have questions or need additional information please do not hesitate to contact the undersigned.

Respectfully submitted,


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Enclosures

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