

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

| | | |
|--|---|--------------------------------|
| Jenny Kenderes, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | Case No. 18-0922-EL-CSS |
| |) | |
| The Cleveland Electric Illuminating |) | |
| Company, |) | |
| |) | |
| Respondent. |) | |
| |) | |

ANSWER OF 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 Jenny Kenderes (“Complainant”) consists of two (2) unnumbered pages, each containing unnumbered paragraphs, and four attachments. CEI will attempt to specifically answer each allegation in the Complaint. 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. As to the allegations contained in first unnumbered paragraph on the first unnumbered page of the Complaint, CEI lacks knowledge or information sufficient to form a belief as to the truth of the allegations of appliances installed and, therefore, denies same. As to the allegations that CEI refused to reconnect service, CEI avers that reconnection was scheduled for May 11, 2018. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations and, therefore, denies same. CEI admits that Complainant’s mother paid

\$1,231.08 toward Complainant's outstanding balance. CEI denies this bill was the first to be received since the new meter was installed. A down payment was required on April 9, 2018 but was never received. CEI denies that Complainant's usage decreased 1,600 kWh in the first month after CEI installed the new meter, CEI avers that the final sentence on first unnumbered page of the Complaint is a prayer for relief to which no response is required. To the extent a response is required, CEI denies any allegations. As to the remaining allegations in the first unnumbered page of the Complaint, CEI lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies same.

2. As to the allegations contained in second unnumbered paragraph on the last unnumbered attachment of the Complaint, CEI denies that Complainant called CEI in October 2017 regarding a noise and a "jolt of energy" emitting from her meter. CEI avers that Complainant's initial communication with CEI to discuss Complainant's higher monthly bill was on March 23, 2018. CEI denies that a representative came to Complainant's location to read the meter at that time; CEI avers Complainant provided a meter reading of 25,132. CEI further avers several solutions were provided to Complainant including energy savings information and an explanation of electricity usage and costs. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations and, therefore, denies same.

3. As to the allegations contained in third unnumbered paragraph on the last unnumbered attachment of the Complaint, CEI admits that Complainant's electricity usage during the months of November 2017 through March 2018 exceeded usage during the same months of the previous year. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations and, therefore, denies same.

4. As to the allegations contained in fourth unnumbered paragraph on the last unnumbered attachment of the Complaint, CEI admits Complainant requested her meter to be replaced on April 4, 2018 and the meter was replaced the following day. CEI further admits that a test was performed on the old meter and it tested at an accuracy of 99.76% and that the Company sent meter test results to Complainant. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations and, therefore, denies same.

5. As to the allegations contained in fifth unnumbered paragraph on the last unnumbered attachment of the Complaint, CEI denies that Complainant's bill is almost \$1,700. CEI lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations and, therefore, denies same.

6. As to the allegations contained in the attached unnumbered pages, CEI states that the attached documents speak for themselves and need no reply.

7. CEI denies any remaining allegations in the Complaint.

AFFIRMATIVE DEFENSES

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

SECOND DEFENSE

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

THIRD DEFENSE

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

FOURTH DEFENSE

10. 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

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

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

Respectfully submitted,

/s/ Robert M. Endris
Robert M. Endris (#0089886)
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Phone: 330-384-5728
Fax: 330-384-3875

On behalf of The Cleveland Electric
Illuminating Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by U.S. mail to the following person on this 13th day of June 2018.

Jenny Kenderes
4116 Parkside Drive
Brooklyn, Ohio 44144

/s/ Robert M. Endris _____
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). 18-0922-EL-CSS

Summary: Answer Answer of The Cleveland Electric Illuminating Company electronically filed by Mr Robert M Endris on behalf of Endris, Robert Mr.