

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
LARS ST. JOHN,**

**COMPLAINANT,**

**CASE No. 18-123-EL-CSS**

**v.**

**THE CLEVELAND ELECTRIC ILLUMINATING  
COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on July 11, 2018

**I. SUMMARY**

{¶ 1} The Commission grants the motion to dismiss of The Cleveland Electric Illuminating Company, and finds that this case should be dismissed and closed of record.

**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, The Cleveland Electric Illuminating Company (CEI or Company), is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On January 22, 2018, Lars St. John (Complainant) filed this complaint against CEI. In the complaint, Complainant alleges that CEI unfairly added a security deposit charge to his bill. Further, Complainant requests that the charge be removed from his account.

{¶ 5} CEI filed its answer on February 12, 2018. In its answer, CEI admits some allegations in the complaint. More specifically, CEI states that a security deposit was added to Complainant's account on or about September 20, 2017, due to an outstanding balance existing on Complainant's account for consecutive months. CEI avers that the security deposit in question was removed from Complainant's account upon successful enrollment in the Percentage of Income Payment Plan (PIPP) program and credited against Complainant's outstanding balance on the account. The Company further states that it lacks knowledge or information sufficient to form a belief as to the truth of other allegations and, therefore, denies those allegations. In addition, CEI denies any remaining allegations in the complaint, and sets forth in the answer several affirmative defenses.

{¶ 6} On March 29, 2018, a telephonic settlement conference was held in this matter. The parties, however, were unable to resolve the complaint during the conference.

{¶ 7} On May 11, 2018, CEI filed a motion to dismiss the complaint. In the motion, CEI advises the Commission that the complaint has been satisfied. CEI states that the Complainant's security deposit, which is the sole subject of this complaint, has been refunded to Complainant and applied against the outstanding balance on his account. CEI states that these actions by the Company were due to Complainant's recent successful enrollment in the Percentage of Income Payment Plan (PIPP) program and that, as the sole issue raised in the complaint has been resolved, the complaint should be dismissed as satisfied.

{¶ 8} Citing Ohio Adm.Code 4901-9-01(F), CEI also states that the Commission's rules provide for dismissal of complaint proceedings when a case has been settled and no response to the contrary is filed by a complainant within twenty days after service of a motion to dismiss.

{¶ 9} Ohio Adm.Code 4901-9-01(F) provides that, if the public utility complained against files an answer or motion which asserts that the complaint has been satisfied and no response is filed within 20 days, the Commission may presume that satisfaction has

occurred and dismiss the complaint. No response to CEI's motion has been filed. Accordingly, this case should be dismissed and closed of record.

### III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That CEI's motion to dismiss be granted and that Case No. 18-123-EL-CSS be dismissed and closed of record. It is, further,

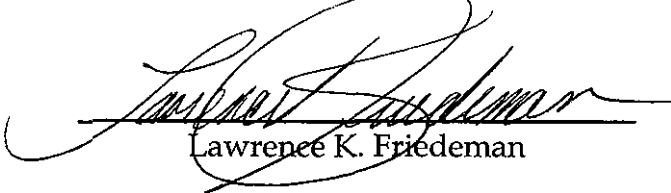
{¶ 12} ORDERED, That a copy of this Entry be served upon each party and interested person of record.

#### THE PUBLIC UTILITIES COMMISSION OF OHIO



Asim Z. Haque, Chairman

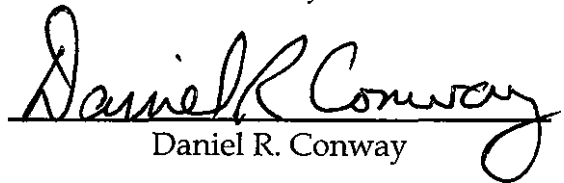
M. Beth Trombold



Lawrence K. Friedeman



Thomas W. Johnson

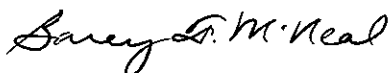


Daniel R. Conway

KKS/mef

Entered in the Journal

JUL 11 2018



Barcy F. McNeal  
Secretary