

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
MARGARET A. WILSON,**

**COMPLAINANT,**

**v.**

**CASE NO. 18-373-GA-CSS**

**VECTREN ENERGY DELIVERY OF OHIO,  
INC.,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on July 25, 2018

**I. SUMMARY**

{¶ 1} The Commission grants a motion by Vectren Energy Delivery of Ohio, Inc. to dismiss this case for lack of prosecution.

**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} Vectren Energy Delivery of Ohio, Inc. (Vectren or Company) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On February 28, 2018, Margaret A. Wilson (Complainant) filed a complaint against Vectren alleging that the Company tampered with and shut off her heat while parked in a Vectren truck outside of her house.

{¶ 5} Vectren filed its answer on March 20, 2018. In its answer, Vectren states that its records disclose no service interruptions over the last three years, other than to upgrade a service line and move an indoor meter outside following investigation of a service issue reported by Complainant in 2015. Vectren notes that there is a credit balance on the account at this time and that its records do not disclose that service to Complainant has been threatened with disconnection. In addition, Vectren sets forth in the answer several affirmative defenses.

{¶ 6} By Entry dated April 9, 2018, a settlement conference was scheduled in this matter on May 10, 2018.

{¶ 7} On May 10, 2018, an attorney examiner from the Commission's legal department and a representative of Vectren were in attendance for the scheduled conference. However, Complainant was not present and, consequently, the settlement conference was not convened.

{¶ 8} On May 15, 2018, the attorney examiner issued an Entry, which rescheduled a settlement conference in this case for May 29, 2018. The Entry informed Complainant that failure to attend the settlement conference may result in dismissal of the complaint for lack of prosecution.

{¶ 9} On May 29, 2018, an attorney examiner from the Commission's legal department and a representative of Vectren were present for the rescheduled settlement conference. However, the Complainant did not attend and, for a second time, the conference was not convened.

{¶ 10} On June 1, 2018, Vectren filed a motion to dismiss the complaint due to Complainant's failure to prosecute and failure to state reasonable grounds for the complaint.

{¶ 11} Considering Complainant's failure to attend the scheduled settlement conferences in this matter, the Commission finds that Vectren's motion to dismiss should be granted. In a formal complaint case such as this one, the complainant has the legal

obligation to prosecute the complaint. After receiving notice of the proceedings, Complainant in this matter has failed to appear at the scheduled settlement conferences. This case should, therefore, be dismissed, without prejudice, for lack of prosecution.

### III. ORDER


{¶ 12} It is, therefore,

{¶ 13} ORDERED, That Vectren's motion to dismiss be granted. It is, further,

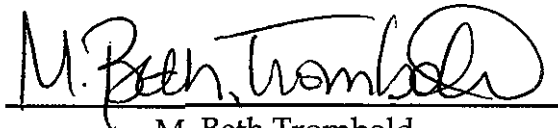
{¶ 14} ORDERED, That Case No. 18-373-GA-CSS be dismissed, without prejudice, for lack of prosecution. It is, further,

{¶ 15} ORDERED, That a copy of this Entry be served upon each party of record.

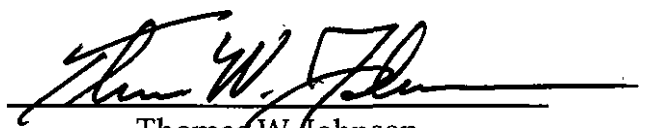
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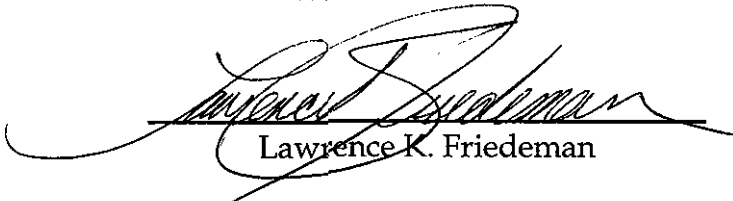
Asim Z. Haque, Chairman



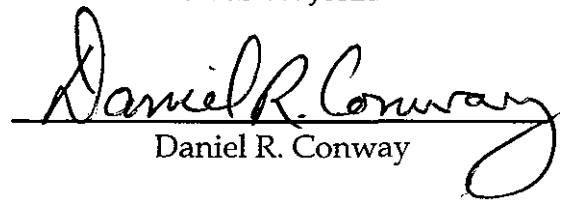
M. Beth Trombold



Thomas W. Johnson



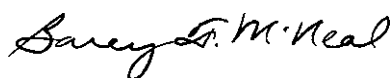
Lawrence K. Friedeman



Daniel R. Conway

KKS/mef

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**JUL 25 2018**



Barcy F. McNeal  
Secretary