

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
JUDITH JOHNSON,**

**COMPLAINANT,**

**v.**

**CASE NO. 18-801-WW-CSS**

**AQUA OHIO, INC.,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on August 8, 2018

**I. SUMMARY**

{¶ 1} The Commission dismisses this complaint at the request of the Complainant.

**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} Aqua Ohio, Inc. (Aqua or Respondent) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On May 4, 2018, Judith Johnson (Ms. Johnson or Complainant) filed a complaint contending that, while her meter was replaced, the company has provided no evidence that the meter has been tested, in response to her concerns regarding alleged excessive bills.

{¶ 5} On May 24, 2018, Aqua filed its answer to the complaint. Respondent admits that Ms. Johnson is a customer receiving waterworks service at the premises. According to

Aqua, on February 1, 2018, a technician visited the premises in response to a complaint from Ms. Johnson regarding high consumption on her bill. Further, Aqua states that while the technician inspected the meter and found no evidence of malfunction, the meter was replaced due to Ms. Johnson's concerns. According to Aqua, although the Complainant did not request a meter test at that time, a meter test was performed on February 16, 2018, in response to an informal complainant by Ms. Johnson. According to Aqua, the test results reflect that the meter was in good working condition and that a review of Ms. Johnson's bill does not reflect any billing errors.

{¶ 6} Further Aqua submits that the complaint does not comply with Ohio Adm.Code 4901-9-01(B), which requires a statement that clearly explains the facts. Specifically, Aqua contends that the allegations of the complaint are not numbered paragraphs but, instead, are in narrative form and that many of the allegations in the complaint are compound and omit numerous details necessary to answer them.

{¶ 7} Aqua states that the complaint fails to set forth reasonable grounds and does not set forth a claim for which relief may be granted.

{¶ 8} Aqua states that the complaint is barred by laches, waiver, and estoppel.

{¶ 9} Finally, Aqua states that at all times it has complied with the Ohio Revised Code, Title 49, the applicable rules, regulations, and orders of the Commission, and the company's tariffs.

{¶ 10} Pursuant to the Entry issued June 11, 2018, this matter was scheduled for a settlement conference on July 10, 2018.

{¶ 11} On July 13, 2018, Ms. Johnson filed a letter requesting the withdrawal of her complaint.

{¶ 12} The request to withdraw the complaint is reasonable and shall be granted. Therefore, the Commission finds that this case should be dismissed and closed of record.

III. ORDER

{¶ 13} It is, therefore,

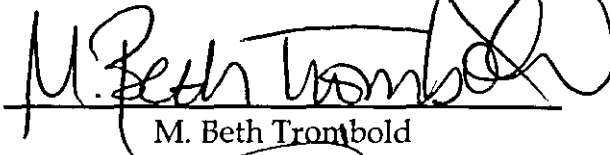
{¶ 14} ORDERED, That this case be dismissed and closed of record. It is, further,

{¶ 15} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

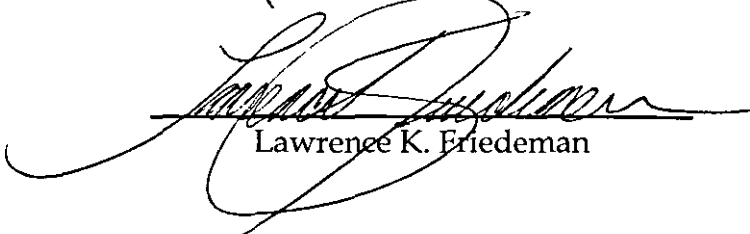


Asim Z. Haque, Chairman

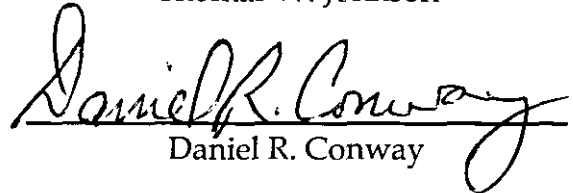


M. Beth Trombold

Thomas W. Johnson



Lawrence K. Friedeman

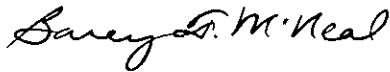


Daniel R. Conway

JSA/mef

Entered in the Journal

**AUG 08 2018**



Barcy F. McNeal  
Secretary