

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
MACHELLE J. FUNK,**

**COMPLAINANT,**

**V.**

**CASE NO. 18-870-GA-CSS**

**STATEWISE ENERGY OHIO, LLC,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on September 5, 2018

**I. SUMMARY**

{¶ 1} The Commission finds that this complaint should be dismissed at the request of the parties.

**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. Pursuant to R.C. 4929.24, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by a retail natural gas supplier subject to certification under R.C. 4929.20 of any service for which it is subject to certification.

{¶ 3} Statewise Energy Ohio, LLC (Statewise) is a retail natural gas supplier as defined in R.C. 4929.01, and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On May 15, 2018, Machelles J. Funk (Complainant) filed a complaint against Statewise for alleged unfair billing practices.

{¶ 5} On June 7, 2018, Statewise's manager for regulatory affairs and compliance filed a response to the complaint.

{¶ 6} Per Entry dated June 22, 2018, the attorney examiner scheduled a settlement conference on August 2, 2018, and directed Statewise to obtain counsel and file a proper answer in the matter.

{¶ 7} On July 12, 2018, Statewise filed notice of a pending settlement of the complaint and a request to cancel the August 2, 2018 settlement conference. In the pleading, Statewise advised the Commission that the parties agreed to settle their dispute and were in the process of documenting the settlement. Statewise requested that the August 2, 2018 settlement conference be vacated to allow the parties adequate time to finalize and sign the settlement documents. Further, Statewise stated that the parties would file a joint motion to dismiss the complaint once the settlement was documented.

{¶ 8} On July 27, 2018, the attorney examiner issued an Entry canceling the August 2, 2018 settlement conference, pending settlement and the filing of a joint motion to dismiss the complaint. Further, the attorney examiner noted that, if settlement was not actually achieved, for whatever reason, the settlement conference would be rescheduled by a subsequent entry, and an answer to the complaint from Statewise would be due ten days after the filing of the rescheduling entry.

{¶ 9} On August 13, 2018, the parties filed a joint motion to dismiss the complaint. In the motion, Complainant and Statewise request that the complaint be dismissed with prejudice, because the parties have resolved all issues raised in the complaint and have reached a settlement that is to their mutual satisfaction.

{¶ 10} In view of the settlement of the complaint, the Commission finds that this case should be dismissed and closed of record.

### III. ORDER

{¶ 11} It is, therefore,

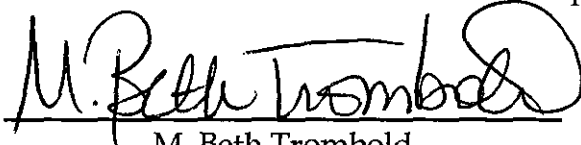
{¶ 12} ORDERED, That the joint motion to dismiss be granted and that Case No. 18-870-GA-CSS be dismissed with prejudice and closed of record. It is, further,

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

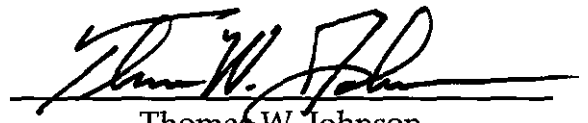
THE PUBLIC UTILITIES COMMISSION OF OHIO



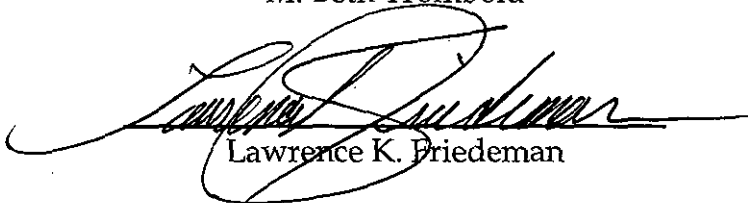
Asim Z. Haque, Chairman



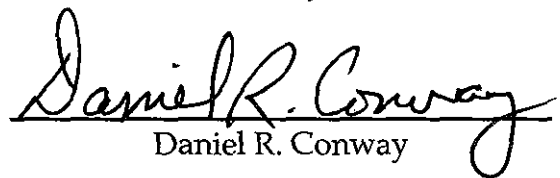
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman

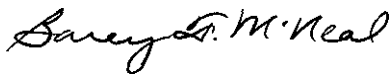


Daniel R. Conway

KKS/mef

Entered in the Journal

**SEP 05 2018**



Barcy F. McNeal  
Secretary