

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
PAULA SMOTHERMAN,**

**COMPLAINANT,**

**V.**

**CASE NO. 18-379-EL-CSS**

**THE DAYTON POWER AND LIGHT  
COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on September 26, 2018

**I. SUMMARY**

{¶ 1} The Commission grants the joint motion to dismiss the complaint with prejudice, as the parties represent that all issues and claims have been resolved.

**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 Dayton Power and Light Company (DP&L or Company), is a public utility as defined in R.C. 4905.02. As such, DP&L is subject to the Commission's jurisdiction.

{¶ 4} On March 1, 2018, Paula Smotherman (Complainant) filed a complaint against DP&L alleging that the Company had billed her for amounts already paid and asking the Commission to resolve the problem.

{¶ 5} On April 13, 2018, DP&L filed a combined answer, motion to dismiss, and request for mediation. The Company generally denied the allegations contained in the

complaint, asserted affirmative defenses, and sought dismissal of the complaint. Alternatively, DP&L requested the opportunity to mediate Complainant's claim.

{¶ 6} A settlement conference was set to occur on May 30, 2018, but was rescheduled due to a scheduling conflict. The parties met and participated in a settlement conference on June 21, 2018.

{¶ 7} On August 31, 2018, Complainant and DP&L filed a notice of settlement and joint motion to dismiss. The parties advise the Commission that they have entered into a full and comprehensive settlement regarding the complaint. Further, having resolved all issues and claims arising in connection with the matters set forth in this proceeding, the parties request that the complaint be dismissed with prejudice.

{¶ 8} Based on the parties' representations and request, the Commission finds that this case should be dismissed and closed of record.

### III. ORDER

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the joint motion to dismiss be granted and that Case No. 18-379-EL-CSS be dismissed with prejudice and closed of record. It is, further,

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

## THE PUBLIC UTILITIES COMMISSION OF OHIO



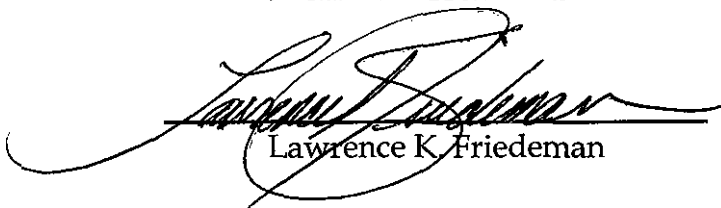
Asim Z. Haque, Chairman



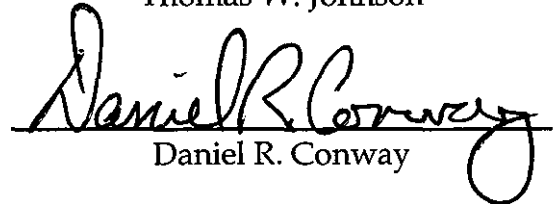
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

PAS/hac

Entered in the Journal

SEP 26 2018Barcy F. McNeal  
Secretary