

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
PATRICIA WILDMAN,**

**COMPLAINANT,**

**v.**

**CASE NO. 18-336-EL-CSS**

**THE OHIO EDISON COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on September 27, 2018

{¶ 1} The Ohio Edison Company (Ohio Edison) is a public utility, pursuant to R.C. 4905.02, and is, therefore, subject to the jurisdiction of this Commission.

{¶ 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} On February 26, 2018, Patricia Wildman (Complainant), through counsel, filed a complaint against Ohio Edison alleging that Ohio Edison contaminated her property with hazardous materials and damaged her property though the resulting cleanup.

{¶ 4} On March 19, 2018, Ohio Edison filed its answer to the complaint, denying many of the allegations contained therein. Additionally, Ohio Edison raised several affirmative defenses, including, but not limited to, the following: Complainant fails to set forth reasonable grounds for complaint as required by R.C. 4905.26; Complainant fails to state a claim upon which relief can be granted; and Ohio Edison has complied with all applicable rules, regulations, and orders of the Commission, and its tariffs.

{¶ 5} A settlement conference was held on May 30, 2018. However, the parties were unable to settle the matter.

{¶ 6} On August 28, 2018, Ohio Edison filed a motion to dismiss the complaint.

{¶ 7} On September 24, 2018, Complainant filed a motion for continuance. Complainant requests leave until October 22, 2018, to respond to the Company's motion to dismiss.

{¶ 8} On September 27, 2018, Ohio Edison filed a memorandum contra to Complainant's motion for continuance. Ohio Edison argues Complainant's motion is in violation of Ohio Adm.Code 4901-1-12(A). Ohio Edison states that Complainant did not show good cause for the extension of time to file and that the motion was not timely filed in advance of the due date. Based on the foregoing reasons, Ohio Edison contends the Commission should deny Complainant's motion for continuance.

{¶ 9} Upon review, the attorney examiner finds that in this particular instance, no party to this case will be prejudiced by granting Complainant's request for a continuance. The attorney examiner finds Complainant's motion should be granted. Accordingly, Complainant is to file a response to the Company's motion to dismiss by October 22, 2018.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That Complainant's motion for a continuance be granted. It is, further,

{¶ 12} ORDERED, That Complainant file a response to the Company's motion to dismiss by October 22, 2018, as set forth in Paragraph 8. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Stacie Cathcart

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By: Stacie E. Cathcart  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 18-0336-EL-CSS**

Summary: Attorney Examiner Entry granting Complainant's motion for continuance and directing Complainant to file a response to the Company's motion to dismiss by 10/22/2018 - electronically filed by Sandra Coffey on behalf of Stacie Cathcart, Attorney Examiner, Public Utilities Commission of Ohio