

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
DONNA M. BELL,**

COMPLAINANT,

v.

CASE NO. 18-1425-EL-CSS

**CLEVELAND ELECTRIC ILLUMINATING
COMPANY,**

RESPONDENT.

ENTRY

Entered in the Journal on November 19, 2018

{¶ 1} 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.

{¶ 2} Respondent, Cleveland Electric Illuminating Company (CEI), is a public utility as defined in R.C. 4905.02. As such, CEI is subject to the Commission's jurisdiction.

{¶ 3} On September 13, 2018, Donna M. Bell (Complainant) filed a complaint against CEI, alleging that she has had at least eight power outages in a three-month period. She also alleges that her bills are sporadic, not indicative of her electricity usage, and that CEI's meter on her property is faulty. Lastly, she alleges that CEI has not adequately investigated or resolved these issues.

{¶ 4} On October 2, 2018, CEI filed an answer. In the answer, CEI denies the allegations made by Complainant. Additionally, CEI sets forth affirmative defenses including that Complainant fails to state reasonable grounds for complaint.

{¶ 5} Via Entry dated October 18, 2018, the attorney examiner scheduled a settlement conference in this matter for November 27, 2018.

{¶ 6} On November 15, 2018, Complainant requested that the settlement conference be conducted via telephone. Complainant explained that she has recently had surgery on her leg and it is difficult for her to drive the long distance from Akron to Columbus, Ohio.

{¶ 7} Upon review, the attorney examiner finds the request reasonable. Additionally, counsel for CEI has indicated that he has no objections to a telephone conference in lieu of an in-person conference. As a result, the attorney examiner will contact both parties at 10:00 a.m. on November 27, 2018, via telephone, to conduct the settlement conference.

{¶ 8} If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues including discovery deadlines, possible stipulations of fact, and potential hearing dates.

{¶ 9} Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the public utility shall investigate the issues raised in the complaint prior to the settlement conference. All parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, the parties shall bring with them relevant documents that are necessary to cultivate an understanding of the issues raised in the complaint and to facilitate settlement negotiations.

{¶ 10} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That a settlement conference be held in accordance to Paragraph 7. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Anna Sanyal

By: Anna Sanyal
Attorney Examiner

JRJ/mef

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/19/2018 1:31:20 PM

in

Case No(s). 18-1425-EL-CSS

Summary: Attorney Examiner Entry rescheduling the settlement conference for 11/27/18 at 10:00am via telephone. electronically filed by Ms. Mary E Fischer on behalf of Anna Sanyal, Attorney Examiner, Public Utilities Commission