

**Venture One Properties**  
1532 W. North Bend Road  
Cincinnati, Ohio 45224

V.

Respondent

Case No. 18-1758-GA-CSS

For its Answer to the Complaint of Venture One Properties (Complainant), Duke Energy Ohio, Inc., (Duke Energy Ohio or Respondent) states as follows:

- 1

### **AFFIRMATIVE DEFENSES**

1. The Complainant does not assert any allegations of fact that would give rise to a cognizable claim against Duke Energy Ohio.

2. Duke Energy Ohio asserts as an affirmative defense that pursuant to R.C. 4905.26 and O.A.C. 4901-9-01-(B)(3), Complainant has failed to set forth reasonable grounds for complaint.

3. Duke Energy Ohio asserts as an affirmative defense that Complainant has not stated any request for relief that can be granted by this Commission.

4. Duke Energy Ohio asserts that, to the extent Complainant may be seeking monetary damages, such relief is beyond the scope of the Commission's jurisdiction.

5. Duke Energy Ohio asserts that, to the extent the Complainant is seeking equitable relief, such relief is beyond the scope of the Commission's jurisdiction.

6. Duke Energy Ohio reserves the right to raise additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as may become necessary during the investigation and discovery of this matter.

### **CONCLUSION**

WHEREFORE, having fully answered, Duke Energy Ohio respectfully requests that the Commission dismiss the Complaint of Venture One Properties, for failure to set forth reasonable grounds for the Complaint and to deny Complainant's request for relief, if any.

Respectfully submitted,

/s/ Jeanne W. Kingery  
Rocco O. D'Ascenzo (0077651)  
Deputy General Counsel  
Jeanne W. Kingery (0012172)  
Associate General Counsel  
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Attorneys for Respondent, Duke Energy Ohio, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer of Duke Energy Ohio, Inc., was served via regular US Mail postage prepaid, or by electronic mail service, this 20<sup>th</sup> day of December, 2018, upon the following:

Venture One Properties  
1532 W. North Bend Road  
Cincinnati, Ohio 45224

/s/ Jeanne W. Kingery  
Jeanne W. Kingery

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

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 18-1758-GA-CSS**

Summary: Answer Venture One Properties v. Duke Energy Ohio, Inc. Answer to the Complaint electronically filed by Mrs. Debbie L Gates on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco O. Mr. and Kingery, Jeanne W