

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

	)	
Patricia Garrison, Attorney-in-Fact for	)	
Dorothy Greene	)	
1038 Stump Road	)	
New Franklin, Ohio 44319	)	
	)	
Complainant,	)	Case No. 18-1301-EL-CSS
	)	
v.	)	
	)	
Interstate Gas Supply, Inc.	)	
d/b/a IGS Energy	)	
6100 Emerald Parkway	)	
Dublin, Ohio 43016	)	
	)	
Respondent.	)	

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**MOTION TO DISMISS**

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Pursuant to Ohio Administrative Code Rules 4901-1-12 and 4901-9-01(C)(4), Interstate Gas Supply, Inc. (“IGS” or “IGS Energy”) hereby submits a Motion to Dismiss with prejudice the Complaint filed by Patricia Garrison (“Complainant”) with the Public Utilities Commission of Ohio (“PUCO”). The allegations raised in the Complaint have been addressed and fully resolved by the parties; therefore, the Commission should dismiss the Complaint.

Respectfully submitted,

**/s/ Michael A. Nugent**

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Counsel of Record

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Interstate Gas Supply, Inc.

IGS Energy

6100 Emerald Parkway

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*Attorneys for IGS Energy*

## **MEMORANDUM IN SUPPORT**

On August 17, 2018, Patricia Garrison filed a formal complaint on behalf of her mother, Dorothy Greene, against IGS with the PUCO. Specifically, Complainant alleged that IGS changed her mother's electric service supplier from FirstEnergy to IGS without Ms. Greene's consent.

On September 5, 2018, IGS timely filed its answer and denied that Ms. Greene's enrollment was improper or violated the provisions of Ohio Adm. Code 4901-1-21. IGS also moved to dismiss the Complaint for lack of standing and failure to set forth reasonable grounds for the Complaint as required by Ohio Adm. Code 4901-9-01(C)(3).

In an Entry dated November 16, 2018, the Commission ordered Complainant to provide evidence of her authority to represent Ms. Greene and scheduled a settlement teleconference "to explore the parties' willingness to negotiate a resolution to this Complaint in lieu of an evidentiary hearing."<sup>1</sup>

On December 4, 2018, representatives from IGS and the PUCO joined Complainant on the settlement teleconference. During the teleconference, IGS and Complainant agreed that to resolve the allegations raised in the Complaint the IGS Market Manager responsible for the management and oversight of all door-to-door sales activity in Ms. Greene's region should first contact Complainant by phone to discuss the facts surrounding her mother's enrollment in more detail. The parties also agreed that additional remedies, if any, would be identified and discussed after IGS' Market Manager spoke with Complainant directly.

On December 7, 2018, Andrew Kaufman, IGS' Market Manager for the region, contacted Complainant by telephone and successfully reached a mutual resolution with Complainant in

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<sup>1</sup> See Entry, at ¶ 5, 2.

full satisfaction of the allegations raised in the Complaint. Accordingly, IGS respectfully requests that the Commission dismiss the Complaint with prejudice pursuant to Ohio Adm. Code 4901-9-01(C)(4), because the allegations raised by the Complainant have been addressed and fully resolved by the parties.

Pursuant to Ohio Admin. Code 4901-09-01(F), the Complainant has twenty (20) days to file a written response agreeing or disagreeing with the assertion that this Complaint has been settled, and, if no response is filed, the Commission may presume that satisfaction or settlement has occurred and dismiss the Complaint.

### **CONCLUSION**

**WHEREFORE**, Interstate Gas Supply, Inc. respectfully moves this Commission to dismiss the Complaint of Patricia Garrison with prejudice because the allegations raised by the Complainant have been addressed and fully resolved by the parties.

Respectfully submitted,

**/s/ Michael A. Nugent**

Michael A. Nugent (0090408)

Counsel of Record

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Answer has been served upon the following persons, via regular U.S. mail, postage prepaid, this 11<sup>th</sup> day of February 2019.

**/s/ Michael A. Nugent**

Michael A. Nugent  
Attorney for Respondent  
Interstate Gas Supply, Inc.

**SERVICE LIST**

Dorothy Greene  
1038 Stump Road  
New Franklin, OH 44319

Patricia Garrison  
849 Highway 2  
Blue Ridge, GA 30513

**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). 18-1301-EL-CSS**

Summary: Motion to Dismiss the Complaint of Patricia Garrison electronically filed by Mr. Michael A Nugent on behalf of Interstate Gas Supply, Inc.