

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
LARRY KUDLA,**

**COMPLAINANT,**

**V.**

**CASE NO. 19-399-GA-CSS**

**THE EAST OHIO GAS COMPANY D/B/A  
DOMINION ENERGY OHIO,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on April 3, 2019

**I. SUMMARY**

{¶ 1} The Commission grants The East Ohio Gas Company d/b/a Dominion Energy Ohio's motion to dismiss the complaint, as the issues in the case 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} The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On February 8, 2019, Larry Kudla (Complainant) filed a complaint against DEO, alleging that DEO unfairly charged an investigation fee to his account. Complainant states that he purchased a bank-owned property on or about September 20, 2018.

Complainant explains that gas to the property was already turned on, but because there was no water supply system in the home, there was no need to use the gas for heat. Complainant adds that, in mid-October 2018, water to the home was available, and he went to DEO's website and set up a gas account. When Complainant contacted DEO in November 2018, however, a DEO representative stated that Complainant had not created an account; Complainant states that he then set up his account via telephone. Complainant asserts that, subsequently, a DEO technician arrived to pressure test the gas lines and, in error, disconnected gas to Complainant's range; the line had to be reconnected so that the range would be operational. Complainant contends that, contrary to DEO's position, the gas was on and was never off since he took possession of the property. Complainant contends that he was unjustly charged a \$112 investigation fee twice and seeks a refund of \$224.

{¶ 5} On February 19, 2019, DEO filed a motion to dismiss the complaint, asserting that the complaint has been satisfied, and requesting dismissal of the complaint, pursuant to Ohio Adm.Code 4901-9-01(F).

{¶ 6} Ohio Adm.Code 4901-9-01(F) provides that, if an answer or motion is filed that asserts that a complaint has been satisfied or settled, and no response is filed within 20 days, the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint.

{¶ 7} Complainant did not respond within 20 days of DEO's assertion that the matter has been resolved. Pursuant to Ohio Adm.Code 4901-9-01(F), the Commission finds that DEO's motion to dismiss the complaint, with prejudice, is reasonable and should be granted.

### III. ORDER

{¶ 8} It is, therefore,

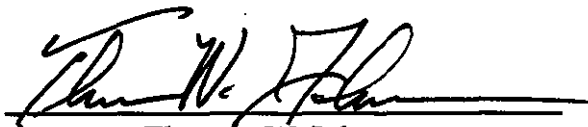
{¶ 9} ORDERED, That the motion to dismiss the complaint be granted. It is, further,

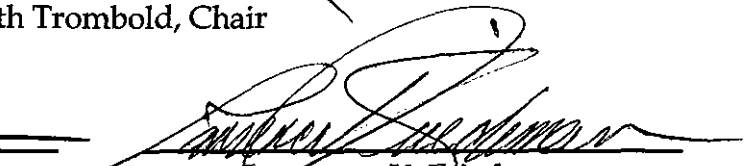
{¶ 10} ORDERED, That this case be dismissed and closed of record. It is, further,

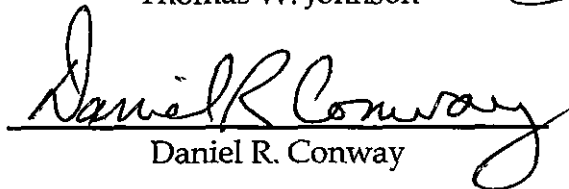
{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

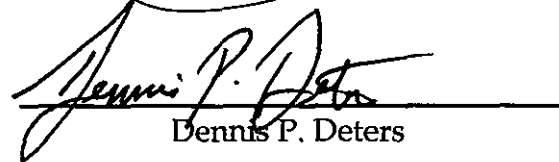
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
M. Beth Trombold, Chair

  
Thomas W. Johnson

  
Lawrence K. Friedeman

  
Daniel R. Conway

  
Dennis P. Deters

JML/hac

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APR 03 2019



Tanowa M. Troupe  
Secretary