

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
MICHELLE DIFIORI,**

**COMPLAINANTS,**

**v.**

**CASE NO. 18-1608-EL-CSS**

**THE CLEVELAND ELECTRIC ILLUMINATING  
COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on May 6, 2019

{¶ 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, The Cleveland Electric Illuminating Company (CEI), is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On October 25, 2018, Michelle Difiori (Complainant) filed a complaint against CEI. The complaint alleges, among other things, that Complainant as received high bills and has been overcharged by CEI for her electric service. Also, Complainant seeks to be reimbursed for costs she incurred checking on the proper functioning of her own appliances.

{¶ 4} On November 14, 2018, CEI filed its answer to the complaint. In its answer, CEI admits some and denies others of the complaint's allegations and sets forth several affirmative defenses. CEI specifically denies that it is overcharging Complainant.

{¶ 5} A settlement conference was scheduled for and held on January 10, 2019. However, the parties were unable to resolve the dispute giving rise to this complaint case.

{¶ 6} R.C. 4905.26 requires that the Commission set for hearing a complaint against a public utility whenever reasonable grounds appear that any rate charged or demanded is in any respect unjust, unreasonable, or in violation of law, or that any practice affecting or relating to any service furnished is unjust or unreasonable.

{¶ 7} The attorney examiner finds that reasonable grounds for complaint have been stated. Accordingly, this case should be scheduled for hearing on June 11, 2019, at 10:00 a.m., in Hearing Room 11-A of the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793. All parties should register at the lobby desk and then proceed to the 11th floor in order to participate in the hearing.

{¶ 8} Any party intending to present direct expert testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing.

{¶ 9} In complaint proceedings before the Commission, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.*, 5 Ohio St.2d 189, 214 N.E. 2d 666 (1966). Therefore, at hearing, it shall be Complainants' responsibility to appear and present evidence in support of the complaint.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That a hearing in this case be scheduled for June 11, 2019, at 10:00 a.m., in Hearing Room 11A, on the 11th floor of the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

---

By: Daniel E. Fullin  
Attorney Examiner

GAP /sc

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

**Commission of Ohio Docketing Information System on**

**5/6/2019 3:31:41 PM**

**in**

**Case No(s). 18-1608-EL-CSS**

Summary: Attorney Examiner Entry scheduling hearing for 06/11/2019 in accordance with Paragraph 11 - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio