

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JEFFREY J. CHAHINE,

Complainant,

v.

AQUA OHIO, INC.,

Respondent.

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Case No. 19-1174-WS-CSS

ANSWER

In accordance with Ohio Adm. Code 4901-9-01(D), the Respondent, Aqua Ohio, Inc. (Aqua or the Company), for its answer to the complaint of Jeffrey J. Chahine, states:

FIRST DEFENSE

1. Aqua admits that Mr. Chahine is a customer receiving waterworks service under an account ending 6586 at 887 Squirrel Hill Drive, Boardman, Ohio 44512 (the Premises).
2. Aqua admits that Mr. Chahine's March 13, 2019 bill and April 9, 2019 bill were in the amounts of \$537.34 and \$210.35, respectively.
3. Aqua avers that on March 15, 2019, a technician visited the Premises in response to a complaint from Mr. Chahine about high consumption on his bill.
4. Aqua avers that at the request of Mr. Chahine, the technician removed the original water meter, arranged to have it tested, and installed a new meter at the Premises.
5. Aqua avers that on March 26, it received the results of the test on the original meter at the Premises and found that it was in good working order.
6. Aqua avers that on May 7, a representative contacted Mr. Chahine informing him of the test results.

7. Aqua avers that on May 21, a representative contacted Mr. Chahine and explained that his request for an adjustment had been denied.

8. Aqua avers that it has reviewed Mr. Chahine's account and the associated billing statements for accuracy and it has not identified any errors.

9. Aqua is without sufficient knowledge or information to admit or deny the remaining allegations in the complaint, and generally denies any allegations not specifically admitted or denied in this Answer in accordance with Ohio Adm. Code 4901-9-01(D). Aqua neither attests nor concedes to the authenticity of any document attached to the Complaint.

AFFIRMATIVE DEFENSES

SECOND DEFENSE

10. The complaint does not comply with the Commission's rules requiring "a statement which clearly explains the facts." Ohio Adm. Code 4901-9-01(B). The allegations are not in numbered-paragraph, but narrative, form; many of the allegations and statements in the complaint are compound; and many of the allegations omit numerous details necessary to answer them. The Company, has attempted, to the best of its ability, to answer the allegations, but reserves the right to amend its answer in the event it has incorrectly understood the allegations.

THIRD DEFENSE

11. The complaint fails to set forth reasonable grounds for complaint, as required by R.C. 4905.26.

FOURTH DEFENSE

12. The complaint does not set forth a claim for which relief may be granted.

FIFTH DEFENSE

13. The complaint is barred by laches, waiver, and estoppel.

SIXTH DEFENSE

14. Aqua at all times complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and the Company's tariffs. These statutes, rules, regulations, orders and tariff provisions bar Mr. Chahine's claims.

SEVENTH DEFENSE

15. Aqua reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, Aqua respectfully requests an Order dismissing the complaint and granting it all other necessary and proper relief.

Dated: June 17, 2019

Respectfully submitted,

/s/ Christopher T. Kennedy

Mark A. Whitt (0067996)

Christopher T. Kennedy (0075228)

Rebekah J. Glover (0088798)

WHITT STURTEVANT LLP

The KeyBank Building, Suite 1590

88 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3946

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

kennedy@whitt-sturtevant.com

glover@whitt-sturtevant.com

ATTORNEYS FOR AQUA OHIO, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served by mail to the following person this 17th day of June, 2019:

Jeffrey J. Chahine
860 Boardman-Canfield Road #201
Boardman, Ohio 44512

/s/ Rebekah J. Glover
One of the Attorneys for Aqua Ohio, Inc.

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Case No(s). 19-1174-WS-CSS

Summary: Answer electronically filed by Ms. Rebekah J. Glover on behalf of Aqua Ohio, Inc.