

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

GARTH EHLINGER)	
)	
Complainant,)	
)	Case No. 19-1303-EL-CSS
v.)	
)	
OHIO EDISON COMPANY)	
)	
Respondent.)	

ANSWER OF OHIO EDISON COMPANY

Ohio Edison Company (“Ohio Edison” or “Company”) is a public utility company, as defined by §4905.03(C) of the Ohio Revised Code, and is duly organized and existing under the laws of the State of Ohio. The Complaint of Garth Ehlinger (“Complainant”) consists of one (1) page, containing one unnumbered handwritten paragraph and nine pages of attachment with some pages denoted as exhibits. Ohio Edison will attempt to specifically answer each allegation in the Complaint. To the extent Ohio Edison does not respond to a specific allegation, Ohio Edison denies any such allegation.

Therefore, in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, Respondent Ohio Edison for its answer to the Complaint states:

FIRST DEFENSE

1. As to the first unnumbered page of the Complaint, Ohio Edison admits that it provides electric service to Complainant at 2793 O’Possum Run Rd, Mansfield, Ohio 44903. As to the allegations against Volunteer Energy Services, Inc., Ohio Edison lacks sufficient knowledge to form a belief as to their truth and therefore denies the same.

2. The attachment to the Complainant are documents which speak for themselves and to which no response from Ohio Edison is necessary.

AFFIRMATIVE DEFENSES

In addition, Ohio Edison asserts the following affirmative defenses in response to the Complaint:

SECOND DEFENSE

3. The Complaint fails to set forth reasonable grounds for complaint against Ohio Edison, as required by Section 4905.26 of the Revised Code.

THIRD DEFENSE

4. The Complaint fails to state a claim against Ohio Edison upon which relief can be granted.

FOURTH DEFENSE

5. Ohio Edison 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 Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FIFTH DEFENSE

6. Ohio Edison reserves the right to supplement its answer with other defenses, including affirmative defenses, as discovery progresses in this matter.

WHEREFORE, Ohio Edison respectfully requests an Order dismissing Ohio Edison from the Complaint and granting Ohio Edison all other necessary and proper relief.

Respectfully submitted,

/s/ Robert M. Endris
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will accept email service

On Behalf of Ohio Edison Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss and Memorandum in Support was served by electronic and U.S. mail to the following person on this 20th day of June, 2019.

Garth Ehrlinger
2793 O'Possum Rd
Mansfield, OH 44903

/s/ Robert M. Endris
Attorney for Ohio Edison Company

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in

Case No(s). 19-1303-EL-CSS

Summary: Answer Answer of Ohio Edison Company electronically filed by Mr Robert M Endris on behalf of Ohio Edison Company