

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
DONNA M. BELL,**

**COMPLAINANT,**

**v.**

**CASE NO. 18-1425-EL-CSS**

**THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on July 22, 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. Accordingly, CEI is subject to the Commission's jurisdiction.

{¶ 3} On September 13, 2018, Donna M. Bell (Complainant) filed a complaint against CEI, alleging that she has had at least eight power outages in a three-month period. She also alleged that her bills were sporadic, not indicative of her electricity usage, and that CEI's meter on her property was faulty. Complainant also stated that a power outage was responsible for damage to her water heater. Lastly, Complainant alleged that CEI has not adequately investigated or resolved these issues.

{¶ 4} On October 2, 2018, CEI filed an answer. In the answer, CEI denied the allegations made by Complainant. Additionally, CEI sets forth affirmative defenses including that Complainant failed to state a claim upon which relief can be granted.

{¶ 5} A telephonic settlement conference was held on November 27, 2018. However, the parties were unable to resolve the matter at that time.

{¶ 6} On January 31, 2019, CEI filed a motion to dismiss for failure to state a claim upon which relief can be granted. By Entry dated May 20, 2019, the attorney examiner denied CEI's motion to dismiss and scheduled a hearing in this matter for July 23, 2019.

{¶ 7} Complainant recently contacted the attorney examiner and noted that she is currently in the hospital and, as a result, will not be able to attend the hearing as scheduled.

{¶ 8} Upon review, the attorney examiner cancels the hearing scheduled for July 23, 2019. The parties have indicated that they are available on September 10, 2019. Therefore, the attorney examiner reschedules the hearing for September 10, 2019, beginning at 11:00 a.m. at the offices of the Commission, Hearing Room 11-D, 180 East Broad St., Columbus, Ohio 43215. Expert testimony should be filed no later than August 27, 2019, pursuant to Ohio Adm.Code 4901-1-29, in order to allow sufficient time for review and depositions prior to the hearing.

{¶ 9} As is the case in all Commission complaint proceedings, the Complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the hearing in this matter be rescheduled in accordance to Paragraph 8. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Anna Sanyal

By: Anna Sanyal  
Attorney Examiner

SJP/hac

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

**Commission of Ohio Docketing Information System on**

**7/22/2019 11:43:21 AM**

**in**

**Case No(s). 18-1425-EL-CSS**

Summary: Attorney Examiner Entry rescheduling hearing electronically filed by Heather A Chilcote on behalf of Anna Sanyal, Attorney Examiner, Public Utilities Commission