

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
ALAN MAYSE,**

COMPLAINANT,

CASE NO. 18-551-EL-CSS

v.

NATIONAL GAS & ELECTRIC, LLC,

RESPONDENT.

ENTRY

Entered in the Journal on August 28, 2019

I. SUMMARY

{¶ 1} The Commission dismisses and closes this complaint case as it fails to state reasonable grounds for complaint and in light of the settlement approved in Case No. 19-1464-GE-UNC.

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. Additionally, pursuant to R.C. 4928.16, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by an electric services company subject to certification under R.C. 4928.08 of any service for which it is subject to certification.

{¶ 3} National Gas & Electric, LLC (NGE) is an electric services company, as defined in R.C. 4928.01(A)(9), and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On March 29, 2019, Alan Mayse (Complainant) filed a complaint against NGE alleging that NGE had acted in bad faith by charging the Complainant a variable rate that had no relation to expected market rates. The Complainant further explained that he was

not seeking a settlement in his case, but rather he was asking for the Commission to investigate the unethical business practices of NGE and other companies with similar business practices.

{¶ 5} NGE failed to file an answer to the complaint.

{¶ 6} Upon review of the complaint, it appears that Complainant does admit that he received a refund from NGE for the excess charges he argues NGE charged him for supplier services. As such, Complainant has been made whole and, consequently, we find that there are no reasonable grounds for complaint, pursuant to R.C. 4905.26. See *Stoner v. Vectren Energy Delivery of Ohio, Inc.*, Case No. 04-1604-GA-CSS, Entry (Feb. 9, 2005). Accordingly, we find that this case should be dismissed. However, we also note that the Commission issued a Finding and Order on July 31, 2019, approving a Stipulation between NGE and Staff resolving issues with the marketing, enrollment, and contract administration processes previously practiced by NGE. *In re Comm. Consideration of a Settlement Agreement Between National Gas & Electric, LLC and Staff*, Case No. 19-1464-GE-UNC, Finding and Order (July 31, 2019) (*NGE Settlement Order*) at 1. According to the settlement, NGE agreed to refund customers who were incorrectly billed, release customers without penalty who were misled into telephonically enrolling with NGE, and pay a forfeiture of \$250,000. *NGE Settlement Order* at 3-4. Thus, the Commission finds that Mr. Mayse's complaint case should also be closed because the business practices of NGE were ultimately investigated by the Commission, as requested in the complaint, and his underlying concerns have since been addressed.

III. ORDER

{¶ 7} It is, therefore,

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

{¶ 9} ORDERED, That a copy of this Entry be served upon each party and interested person of record.

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

RMB/ARW/hac

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/28/2019 2:43:24 PM

in

Case No(s). 18-0551-EL-CSS

Summary: Entry that the Commission dismisses and closes this complaint case as it fails to state reasonable grounds for complaint and in light of the settlement approved in Case No. 191464-GE-UNC. electronically filed by Docketing Staff on behalf of Docketing