

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

TIMOTHY L. SHEVEL,

Complainant,

v.

AQUA OHIO, INC.,

Respondent.

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Case No. 19-1565-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 Timothy L. Shevel, states:

FIRST DEFENSE

1. Aqua avers that Mr. Shevel is not the customer of record for 13799 Woodworth Ave., New Springfield, Ohio 44443 (the Premises). Aqua avers that the customer of record for the Premises on account ending 0330 is Catherine Rider.

2. Aqua avers that the water charges on the February 28, 2019 bill and March 29, 2019 bill for the Premises were in the amounts of \$582.11 and \$98.52, respectively.

3. Aqua avers that in February 2019 it received a call from Mr. Shevel related to the high consumption on the bill for the Premises.

4. Aqua avers that a field service representative visited the Premises to investigate the high consumption but was unable to determine the cause.

5. Aqua avers that on March 26, a representative removed the meter at the Premises for a bench test and installed a new meter.

6. Aqua avers that on April 9, it received the results of the test on the original meter at the Premises and found that it was in good working order.

7. Aqua avers that as of the date of this Answer, the total amount due on the account is \$688.02. Aqua further avers that water to the Premises has been shut off and the account is currently inactive.

8. Aqua avers that it has reviewed the account for the Premises 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).

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; 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. Mr. Shevel is not the customer of record and lacks standing to file the complaint.

FOURTH DEFENSE

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

FIFTH DEFENSE

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

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. Shevel'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: August 29, 2019

Respectfully submitted,

/s/ Christopher T. Kennedy

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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 persons this 29th day of August, 2019:

Timothy L. Shevel
Catherine Rider
PO Box 24
New Springfield, Ohio 44443

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

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Case No(s). 19-1565-WS-CSS

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