

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
STEVEN JESKE,**

COMPLAINANT,

v.

CASE NO. 20-10-EL-CSS

**THE DAYTON POWER AND LIGHT
COMPANY,**

RESPONDENT.

ENTRY

Entered in the Journal on February 10, 2020

{¶ 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} The Dayton Power and Light Company (DP&L or Respondent) is a public utility, as defined in R.C. 4905.02, and, as such, is subject to the Commission's jurisdiction.

{¶ 3} On January 3, 2020, Steven Jeske (Complainant) initiated a complaint against DP&L, alleging DP&L had overcharged him approximately 3512 kWh over a four-month period for electric service.¹ Mr. Jeske further asserts the overcharges were due to a faulty meter that was subsequently replaced in November of 2019. While Mr. Jeske does acknowledge the Respondent provided him a credit of \$159.33, he contends this credit is insufficient and requests that DP&L provide him an additional \$140.67, for a total credit of \$300.00, which he deems to be a more appropriate amount.

{¶ 4} Thereafter, on January 27, 2020, DP&L filed an answer to the complaint,

¹ The complaint service letter was sent to DP&L on January 6, 2020.

denying a number of the allegations and asserting several affirmative defenses.

{¶ 5} At this time, the attorney examiner finds that this matter should be scheduled for a settlement conference on March 25, 2020, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Conference Room 1246, Columbus, Ohio 43215-3793. Parties should register at the lobby desk and then proceed to the 11th Floor to participate in the settlement conference.

{¶ 6} The purpose of this settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. Therefore, the parties should bring with them all documents relevant to this matter.

{¶ 7} An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 8} 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).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a settlement conference be scheduled in accordance with Paragraph 5. It is, further,

{¶ 11} 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/Megan J. Addison

By: Megan J. Addison
Attorney Examiner

JRJ/kck

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 20-0010-EL-CSS

Summary: Attorney Examiner Entry scheduling a settlement conference for 3.25.20 at 10:00 a.m. electronically filed by Mrs. Kelli C King on behalf of Megan J. Addison, Attorney Examiner, Public Utilities Commission of Ohio