

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
RUSSELL ENYART,**

**COMPLAINANT,**

**CASE NO. 18-1734-EL-CSS**

**v.**

**OHIO EDISON COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on March 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} Ohio Edison Company (Ohio Edison or Respondent) is a public utility as defined in R.C. 4905.02. As such, Ohio Edison is subject to the Commission's jurisdiction.

{¶ 3} On November 28, 2018, Russell Enyart (Complainant) filed a complaint against Ohio Edison. Complainant alleges that Ohio Edison failed to adequately provide service to Complainant's commercial property, the result of which was significant property damage. On December 18, 2018, Ohio Edison filed an answer generally denying the allegations contained in the complaint and asserting several affirmative defenses.

{¶ 4} A settlement conference conducted on April 2, 2019, did not resolve the parties' dispute.

{¶ 5} By various entries, the original procedural schedule established for this proceeding was continued and, eventually, stayed. Most recently, by Entry dated February 3, 2020, the attorney examiner granted the parties' request for an extension of time to provide a status update and, if necessary, proposed hearing dates. Pursuant to that Entry,

on February 21, 2020, the parties filed a joint status update. The parties explain that settlement discussions have, thus far, been unsuccessful and requested a telephonic prehearing conference such that the parties and the attorney examiner could discuss and schedule a hearing date.

{¶ 6} On February 25, 2020, the attorney examiner conducted the desired conference, discussed several potential procedural schedules, and requested an update once anticipated witnesses' availability could be determined. By follow-up emails, counsel informed the attorney examiner that all concerned are available for a two-day hearing beginning on June 30, 2020.

{¶ 7} Accordingly, the attorney examiner finds that the evidentiary hearing in this matter should commence on June 30, 2020, at 10:00 a.m. in Hearing Room 11-D at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. Any additional pre-filed testimony, if needed, should be filed no later than June 15, 2020.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That any necessary additional pre-filed testimony be filed no later than June 15, 2020. It is, further,

{¶ 10} ORDERED, That an evidentiary hearing be scheduled for June 30, 2020, at 10:00 a.m., as stated in Paragraph 7. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Patricia A. Schabo

By: Patricia A. Schabo  
Attorney Examiner

JRJ/hac

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

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**in**

**Case No(s). 18-1734-EL-CSS**

Summary: Attorney Examiner Entry ordering additional pre-filed testimony be filed no later than June 15, 2020 and scheduling evidentiary hearing for June 30, 2020 electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission