

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
TIMOTHY L. SHEVEL,**

COMPLAINANT,

Case No. 19-1565-WS-CSS

v.

AQUA OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on March 11, 2020

I. SUMMARY

{¶ 1} The Commission grants Timothy L. Shevel and Aqua Ohio, Inc.'s joint motion to dismiss the complaint and dismisses this case with prejudice.

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.

{¶ 3} Aqua Ohio, Inc. (Aqua) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On August 9, 2019, Timothy L. Shevel (Complainant) filed a complaint against Aqua. In the complaint, Complainant alleged that Aqua charged him unreasonable amounts for water usage during the period from January 1, 2019, through March 1, 2019. The Complainant alleged that these charges were unreasonable because he was told that the building's water tank only holds 1,000 gallons, pumped out every other year, yet Aqua reported that over 50,000 gallons of water were used at the building.

{¶ 5} On August 29, 2019, Aqua filed its answer to the above complaint, admitting

some basic factual allegations while denying any wrongdoing. Aqua also raised several affirmative defenses.

{¶ 6} By Entry issued September 13, 2019, the attorney examiner scheduled a settlement conference to occur on October 22, 2019.

{¶ 7} On February 18, 2020, Complainant and Aqua filed a joint motion to dismiss the complaint, stating that the matter had settled and requested that the complaint be dismissed with prejudice.

{¶ 8} The Commission finds that Complainant and Aqua's joint motion to dismiss the complaint should be granted. Accordingly, this case should be dismissed, with prejudice, and closed of record.

III. ORDER

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That Complainant and Aqua's joint motion to dismiss the complaint be granted and this case be dismissed, with prejudice, and closed of record. It is, further,

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

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

MJS/kck

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