

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Robert Sakach	)	
	)	
Complainant,	)	
	)	Case No. 20-1825-EL-CSS
v.	)	
	)	
The Cleveland Electric Illuminating	)	
Company	)	
	)	
Respondent.	)	

**ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

The Cleveland Electric Illuminating Company (“CEI”) is a public utility company as defined by §4905.03(C) of the Ohio Revised Code and is duly organized and existing under the laws of the State of Ohio. In accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, CEI for its answer to the Complaint of Robert Sakach (the “Complainant”) states:

Complainant’s Complaint consists of various assertions in one handwritten and unnumbered paragraph, and one typed page of what appears to be regulatory law. To the extent CEI does not respond to a specific allegation, CEI denies any such allegation. CEI reserves the right to supplement or amend this Answer.

1. CEI admits that Complainant’s service address has experienced occasional outages, some sustained, some momentary, over the course of the last two years. The causes of these outages have been trees (both on and off-right-of-way) and sudden and unexpected equipment failure.
2. CEI admits that both Complainant’s service address and the service address across the street from Complainant have experienced sustained and momentary outages in the past, some at the same time and some at different times. CEI avers that both

Complainant's service address and the service address across the street from Complainant are served from the same circuit.

3. CEI admits that it performs regular equipment inspection and vegetation management on its system, including the portions of its system that serve Complainant's service address. On 11/12/2020, CEI completed its most recent vegetation maintenance cycle for this circuit, which includes achieving four years of clearance on all miles of line and the removal of selected overhang. CEI further completed a circuit patrol on 12/15/2020 and found no significant issues.
4. CEI avers that it has complied with all statutory and regulatory requirements regarding the operation of its system; provided reasonable service; and acted responsibly in correcting and repairing all outages.
5. CEI lacks knowledge or information sufficient to respond to the remaining allegations in the Complaint and therefore denies the same.

#### **AFFIRMATIVE DEFENSES**

1. The Complaint fails to set forth reasonable grounds for Complaint, as required by Section 4905.26, Revised Code.
2. The Complaint fails to state a claim upon which relief can be granted.
3. The Commission lacks subject matter jurisdiction over some or all of Complainant's claims.
4. The Complainant lacks standing to bring his Complaint on behalf of other unnamed Complainants.
5. CEI reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, CEI respectfully requests an Order dismissing the Complaint and granting CEI all other necessary and proper relief.

Respectfully submitted

/s/ Emily V. Danford  
Emily V. Danford (0090747)  
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*Attorney for The Cleveland Electric  
Illuminating Company*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was served by U.S. mail to the following person on this 20th day of January 2021:

Robert Sakach  
6591 Monterey Drive  
Mayfield Heights, OH 44124

/s/ Emily V. Danford  
*Attorney for The Cleveland Electric  
Illuminating Company*

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Summary: Answer electronically filed by Ms. Emily V Danford on behalf of The Cleveland Electric Illuminating Company