

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF NINA JONES,

COMPLAINANT,

V.

CASE NO. 21-123-EL-CSS

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

RESPONDENT.

ENTRY

Entered in the Journal on March 5, 2021

{¶ 1} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility or an electric services company 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 Cleveland Electric Illuminating Company (CEI) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On February 9, 2021, as supplemented on February 21, 2021, Nina Jones (Complainant) filed a complaint against CEI, objecting to an increase in her bills and the disconnection notices that she has received. The remainder of the complaint consists of details concerning the date and amount of her payments, as well as correspondence received from CEI.

{¶ 4} CEI filed its answer on March 1, 2021. CEI denies that it improperly increased Complainant's bills and improperly placed disconnection notices on Ms. Jones's bills. CEI also denies that it improperly changed Complainant's payment plan. CEI denies any other allegations made by Ms. Jones.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference by telephone. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} The settlement conference shall be scheduled for March 17, 2021 at 11:00 a.m. The parties shall dial 1-614-721-2972 and enter conference code 702 302 896# to participate. 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.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-26(F) the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues.

{¶ 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 by telephone for March 17, 2021, at 11:00 a.m. as indicated in Paragraph 6. 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/James M. Lynn

By: James M. Lynn
Attorney Examiner

MJA/hac

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 21-0123-EL-CSS

Summary: Attorney Examiner Entry ordering that a settlement conference be scheduled by telephone for March 17, 2021, at 11:00 a.m. as indicated in Paragraph 6 electronically filed by Heather A Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission