

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
MEROPI STEVE AND GEORGE
STEVENSON,**

COMPLAINANTS,

CASE NO. 21-247-EL-CSS

v.

OHIO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on April 15, 2021

{¶ 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. Accordingly, Ohio Edison is subject to the Commission's jurisdiction.

{¶ 3} On March 16, 2021, Meropi Steve and George Stevenson (Complainants) initiated a complaint against Ohio Edison alleging that the \$28.00 monthly opt-out fee from Ohio Edison's smart metering program is excessive and potentially unlawful. Complainants request that the Commission instead direct Respondent to allow customers wishing to opt out the opportunity to read and submit their monthly meter readings without being charged a fee.

{¶ 4} On April 5, 2021, Respondent filed its answer to the complaint, denying many of the allegations set forth in the complaint and asserting several affirmative defenses.

{¶ 5} Consistent with the Commission's longstanding policy to encourage settlement discussions in complaint proceedings before it, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint. 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.

{¶ 6} Accordingly, a telephone settlement conference shall be scheduled for May 20, 2021, at 10:00 a.m. To participate in the teleconference, the parties shall dial (614) 721-2972 and, when prompted, enter conference code 105 926 080#. If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues including potential hearing dates.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the public utility shall investigate the issues raised in the complaint prior to the settlement conference. All parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, the parties shall bring with them relevant documents that are necessary to cultivate an understanding of the issues raised in the complaint and to facilitate settlement negotiations.

{¶ 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 for May 20, 2021, as provided in Paragraph 6. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Megan J. Addison

By: Megan J. Addison
Attorney Examiner

SJP/kck

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 21-0247-EL-CSS

Summary: Attorney Examiner Entry scheduling a telephone settlement conference for 5.20.21 at 10:00 a.m. electronically filed by Kelli C. King on behalf of Megan J. Addison, Attorney Examiner, Public Utilities Commission of Ohio