

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Steven D. Painter	)	
	)	
Complainant	)	Case No. 21-0236-EL-CSS
	)	
v.	)	
	)	
Ohio Edison Company	)	
	)	
Respondent	)	

**ANSWER OF OHIO EDISON COMPANY**

Ohio Edison Company (“Ohio Edison” or the “Company”) is a public utility company, as defined by R.C. §4905.03(C) and is duly organized and existing under the laws of the State of Ohio. The Complaint of Steven D. Painter (“Complainant”) consists of a cover page, two handwritten and unnumbered pages without numbered paragraphs, and three pages of attachments. Some of the text on the three handwritten pages is faint and is difficult to read or cannot be read. Ohio Edison will attempt to specifically answer each allegation in the Complaint. To the extent Ohio Edison does not respond to a specific allegation, Ohio Edison denies any such allegation.

Therefore, in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, Ohio Edison, for its Answer to the Complaint, states:

**FIRST DEFENSE**

1. The cover page to the Complaint is the Commission’s Formal Complaint Form which does not contain any allegations, and therefore, no response is required.

2. In response to the allegations contained on the first handwritten page of the Complaint, Ohio Edison admits that Complainant contacted Ohio Edison by phone on or about 9:22 a.m. January 21, 2021 to request electric service at 1028 Greenlea Drive, Marion, Ohio (the

“Premises”). Responding further, Ohio Edison states that during the call, the representative advised Complainant that he would be required to provide proof of ownership of the Premises, and Ohio Edison further states that during the call, the representative checked the County Auditor’s website, which did not show Complainant as the owner of the Premises. Answering further, Ohio Edison states that also on or about January 21, 2021 10:38 a.m., Complainant contacted Ohio Edison via the company website and attempted to apply online for service at the Premises. Ohio Edison states that a response was sent to Complainant stating that in order to place electric service in his name, he would need to contact the Customer Service Department by phone at 1-800-633-4766, Monday through Friday, between 8:00 a.m. and 6:00 p.m. Answering further, Ohio Edison states that, having not received proof of ownership from Complainant, on or about February 9, 2021, it turned off electric service to the Premises. Responding further, Ohio Edison denies that it received proof of ownership from Complainant on or before February 9, 2021. Ohio Edison states that it did not receive any communication from Complainant between January 21, 2021 and February 13, 2021, despite Ohio Edison’s attempts to contact Complainant regarding necessary steps for completion of the application process. Ohio Edison is without knowledge or information sufficient to form a belief as to the truth of any allegations regarding Complainant’s knowledge, thoughts, mental impressions, or alleged intentions and therefore denies them. Ohio Edison is without knowledge or information sufficient to form a belief as to the truth of the allegations that below-freezing temperatures caused water lines at the Premises to burst and therefore denies them. Ohio Edison denies that it is responsible for any allegedly burst water lines or for any allegedly related damages or monetary amounts. Ohio Edison denies any remaining allegations contained on the first handwritten page of the Complaint.

3. In response to the allegations contained on the second handwritten page of the Complaint, Ohio Edison denies that it is responsible for any alleged “punitive time and damages.” Responding further, Ohio Edison states that on or about February 13, 2021 (Saturday), Complainant contacted Ohio Edison and requested to have electric service turned back on at the Premises. Responding further, Ohio Edison states that the Company correctly told Complainant that customer requests for reconnection after normal business hours or on Saturday, Sunday, or Company holidays are processed on the following business day, which, in light of a federal holiday, would be Tuesday, February 16, 2021. Answering further, Ohio Edison denies that it “would not help” Complainant. Responding further, Ohio Edison states electric service was turned on at the Premises on February 16, 2021. Ohio Edison is without knowledge or information sufficient to form a belief as to the truth of the allegations regarding use of a generator, regarding Complainant’s discussions with Marion Police, and regarding Complainant’s knowledge, thoughts, mental impressions, or alleged intentions and therefore denies them. Answering further, Ohio Edison is without knowledge or information sufficient to form a belief as to the truth of the allegations regarding whether Complainant has water at the Premises, whether he has or can move into the Premises, and when or if repairs at the Premises may be made. Ohio Edison denies any remaining allegations contained on the second handwritten page of the Complaint.

4. In response to the three pages of attachments, Ohio Edison states that the attachments speak for themselves, but, answering further, Ohio Edison denies any allegations purportedly contained therein.

### **SECOND DEFENSE**

5. The Complaint fails to set forth reasonable grounds for complaint, as required by R.C. §4905.26.

### **THIRD DEFENSE**

6. The Complaint fails to state a claim upon which relief can be granted.

### **FOURTH DEFENSE**

7. The Commission may lack jurisdiction to award some or all of the relief Complainant seeks.

### **FIFTH DEFENSE**

8. At all times, Ohio Edison complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and its Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio. These statutes, rules, regulations, orders and tariff provisions bar Complainant's claims.

### **SIXTH DEFENSE**

9. Ohio Edison denies all allegations of the Complaint that are not otherwise admitted herein.

### **SEVENTH DEFENSE**

10. Ohio Edison reserves the right to supplement its answer with other defenses, including affirmative defenses, as discovery progresses in this matter.

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

Respectfully submitted,

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*Attorneys for Respondent  
Ohio Edison Company*

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the forgoing Answer of Ohio Edison Company was filed with the Public Utilities Commission of Ohio's Docketing Information System. The PUCO's e-filing system will electronically serve notice of the filing of this document. A service copy was also served upon the following by U.S. Mail on this 16th day of April 2021:

Mr. Steven D. Painter  
261 Cottswold Drive  
Delaware, Ohio 43015

/s/Kristen M. Fling  
Kristen M. Fling  
*Attorney for Respondent  
Ohio Edison Company*

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

**Commission of Ohio Docketing Information System on**

**4/16/2021 9:50:36 AM**

**in**

**Case No(s). 21-0236-EL-CSS**

Summary: Answer Answer of Ohio Edison Company electronically filed by Ms. Kristen M Fling  
on behalf of Ohio Edison Company