

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Gary Logan)	
9463 Hunters Creek Drive)	
Cincinnati, Ohio 45242)	
)	
And)	
)	
Gary Logan)	Case No. 21-178-EL-CSS
4539 Montgomery Road)	
Cincinnati, Ohio 45212)	
)	
Complainant,)	
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

**DUKE ENERGY OHIO, INC.'S
CLARIFICATION IN RESPONSE TO REQUEST TO WITHDRAW THE COMPLAINT
FILED BY GARY LOGAN ON APRIL 26, 2021**

On February 23, 2021, Mr. Gary Logan (Complainant) filed his complaint in this case, disputing at least a portion of the balance accrued for usage for certain apartments subject to an automatic landlord agreement, with Mr. Logan as the landlord.¹ Duke Energy Ohio, Inc. (Duke Energy Ohio or the Company) filed its answer on March 15, 2021.² Then, on April 26, 2021, Mr. Logan filed a Request to Withdraw the Complaint (Request), stating as follows:

I Gary Logan wish to withdraw my complaint Case No. 21-178-EL-CSS with Duke Energy. Due to the fact Duke Energy forced my hand by threat[en]ing to shut off my home service. Had no choice in the matter. Ended up just paying the bill the aggravation just not

¹ Complaint, p. 1 (February 23, 2021).

² Answer (March 15, 2021).

worth it to me It is a crime that Duke Energy can just cut your power before you can complain.
Thanks for your time and effort on this complaint.³

The Company does not oppose the withdrawal of Mr. Logan's complaint, but files this response in order to clarify the circumstances and explain the status of Mr. Logan's personal residential account. Insofar as the Request might be interpreted to imply that the Company "threat[ened]" Mr. Logan in order to compel him to abandon his Complaint, any such allegation would be absolutely incorrect.

First, the balance for the apartments at issue in the Complaint was \$406.41 (Apartment Balance), and was transferred to Mr. Logan's personal account in January, 2020, in accordance with the Company's standard practice, long before the filing of the Complaint in this case and long before the initiation of even Mr. Logan's informal complaint, which he first lodged on January 6, 2021. Thus, there is no way the transfer of the balance could be construed as retaliation for either Mr. Logan's formal or informal complaints.

Second, based on how the Company handles payment priorities, the Apartment Balance has been fully paid off since August 2020 and is not the reason for the disconnect notices Mr. Logan received on January 26, 2021 or March 25, 2021. Mr. Logan set up a payment arrangement on his personal account on November 4, 2020 (after the Apartment Balance had been paid off), and budget billing as of November 4, 2020. He began to fall behind on his payments as of December 2020 and received a disconnect notice on his January 2021 bill. At that time, he had an accumulated balance of \$1,583.86, which was far more than the amount of the Apartment Balance and none of which was attributable to the Apartment Balance.

³ Request to Withdraw the Complaint (April 26, 2021).

Mr. Logan has not disputed any of the electric charges on his personal account, except for the Apartment Balance. Even during the pendency of a complaint, he is obligated to pay amounts that are not in dispute.

In conclusion, Duke Energy Ohio does not oppose the withdrawal of Mr. Logan's complaint, but submits the above to clarify the circumstances and to deny any suggestion or implication of retaliation or "threat[]" by the Company against Mr. Logan.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ Larisa M. Vaysman

Rocco O. D'Ascenzo (0077651)

Deputy General Counsel

Larisa M. Vaysman (0090290) (Counsel of Record)

Senior Counsel

Duke Energy Business Services LLC

139 East Fourth Street, 1303-Main

Cincinnati, Ohio 45202

(513) 287-4320 (telephone)

(513) 287-7385 (fax)

rocco.dascenzo@duke-energy.com

Larisa.vaysman@duke-energy.com

Willing to accept service via email

Attorneys for Respondent

Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Duke Energy Ohio, Inc.'s Clarification in Response to Request to Withdraw the Complaint Filed by Gary Logan on April 26, 2021 was served on the following parties this 27th day of May, 2021 via UPS delivery.

Gary Logan
9463 Hunters Creek Drive
Cincinnati, Ohio 45242

Gary Logan
4539 Montgomery Road
Cincinnati, Ohio 45212

/s/ Larisa M. Vaysman
Larisa M. Vaysman

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/27/2021 2:34:09 PM

in

Case No(s). 21-0178-EL-CSS

Summary: Response Duke Energy Ohio, Inc.'s Clarification In Response To Request To Withdraw The Complaint Filed By Gary Logan on April 26, 2021 electronically filed by Mrs. Tammy M Meyer on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco and Vaysman, Larisa