

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Yolanda G. Stewart	)	
	)	
Complainant	)	Case No. 21-0734-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 Yolanda G. Stewart (“Complainant”) consists of a cover page and three typed and unnumbered pages without numbered paragraphs. Many of the assertions and allegations contained in the three typed, unnumbered pages are repetitive, and therefore may be addressed in the aggregate. 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 in the typed, unnumbered pages of the Complaint, Ohio Edison admits that Complainant is a customer of Ohio Edison. Ohio Edison also

admits that Complainant was processed a bill on May 5, 2021. In response to Complainant's allegations about not receiving bills from Ohio Edison in the months of March and April 2021, Ohio Edison admits that Complainant was not sent billing statements during those two months due to company investigations into Complainant's meter readings and electric usage. Answering further, Ohio Edison states that an actual meter read of the legacy meter that was previously in place was performed at the time of replacing Complainant's meter with a smart meter on March 4, 2021 as part of the smart meter deployment program. Answering further, Ohio Edison states that due to the actual meter read showing a higher usage amount than normal, the Company investigated the meter read and Complainant's account to make sure that Complainant would be billed accurately. Answering further, Ohio Edison states that this investigation caused a hold on bill processing during the normal bill processing period. Ohio Edison further states that investigations showed that the meter read was accurate, as any missed energy usage for estimated months were included with the reading. Responding further, Ohio Edison states that as soon as it was discovered that Complainant did not receive a bill for the March-April time frame, the bill was processed after the scheduled meter read on April 21, 2021, incorporating the charges Complainant incurred from the meter reads in March 2021 that Complainant had not yet been billed for. Ohio Edison admits that the Company did not contact Complainant during the March and April 2021 billing period because the Company was not aware that Complainant did not receive a bill until bill processing at the end of April 2021. Answering further, Ohio Edison states that upon discovering the missed bill, the Company promptly took measures to correct the issue by calculating and totaling the amount owed for the relevant time period and sending Complainant a billing statement that reflected an accurate accounting of the amount owed. Ohio Edison denies that Complainant was not given an explanation for the bill amount and the delay in receiving a

billing statement. Answering further, Ohio Edison states that representatives spoke with Complainant, at times for more than an hour, in order to thoroughly explain the situation, listen to Complainant's concerns, and answer her questions.

3. In response to Complainant's allegations about contacting Ohio Edison, Ohio Edison admits that Complainant called and spoke with representatives for Ohio Edison on May 8, 2021 about the billing issue. Responding further, Ohio Edison states that Complainant had not contacted Ohio Edison during the months of March and April 2021. In response to any allegations regarding the explanation given by Ohio Edison representatives, Ohio Edison denies that Complainant did not receive "clear explanation for these bills." Answering further, Ohio Edison representatives and supervisors spoke with Complainant multiple times on May 8, May 10, May 11, and May 12, 2021, and thoroughly explained to Complainant why the bill Complainant received in May appeared to be higher than usual. Regarding the allegations that the billed usage amounts are inaccurate, Ohio Edison denies.

4. In response to Complainant's allegations about the dates and when she received the bill processed on May 5, 2021 and that she "could not speak to anyone until Monday May 8 2021," Ohio Edison is without knowledge or information sufficient to form a belief as to the truth of Complainant's whereabouts or schedule, and therefore denies. Answering further, Ohio Edison states that May 8, 2021 fell on a Saturday. Ohio Edison admits that Complainant's meter was replaced with a smart meter on May 4, 2021. Responding further, Ohio Edison states that at that time, an actual reading was taken of the legacy meter, capturing the total actual usage since the last actual reading on March 20, 2020. Answering further, Ohio Edison states that Complainant's meter reads were estimated from March 2020 through March 2021 due to the pandemic. Complainant's meter is located inside the apartment building where Complainant lives and,

therefore, readings were estimated during this time. Ohio Edison admits that there was an estimated read on February 24, 2021, which was the regularly scheduled monthly read date. Ohio Edison denies that Complainant never received anything about the meter replacement. Responding further, Complainant was sent a letter notifying her of and explaining the smart meter deployment program and options on December 22, 2020.

5. In response to Complainant's communications with the PUCO, Ohio Edison admits that Complainant initiated an informal complaint in May 2021, in which the PUCO sent questions to Ohio Edison regarding the facts of this matter. Ohio Edison denies that it did not respond until June 11, 2021. Responding further, Ohio Edison states that responses were sent back to the PUCO on May 26, 2021. Ohio Edison admits that the response explained that the missing March and April 2021 billing statements were due to a billing error and that the issue was corrected on May 5, 2021.

6. In response to Complainant's posed questions on the second typed, unnumbered page, Ohio Edison states that these questions appear to be addressed to the PUCO and do not contain allegations and, therefore, no response is required. But, answering further, Ohio Edison denies any allegations purportedly contained therein. In response to Complainant's assertion that "this is fraudulent and a scam," Ohio Edison denies. In response to Complainant's allegation that Ohio Edison "made up this bill to take the funds [Complainant] had paid into to help [Complainant] during the summer months," Ohio Edison denies.

7. In response to any allegations regarding Complainant's knowledge, thoughts, actions, mental impressions, or alleged intentions included in this Complaint, Ohio Edison is without knowledge or information sufficient to form a belief as to the truth of them and therefore denies them. In response to Complainant referencing attachments to her Complaint including bills,

“billing and payment history, usage history, Ohio Edison 2019-2021 chart, PUCO communication with Ohio Edison response,” and Complainant’s “response to Ohio Edison,” Ohio Edison states that those attachments were not included with the filed Complaint and, therefore, Ohio Edison is without knowledge or information sufficient to form a belief as to the truth of any allegations that Complainant intended to assert within them and therefore denies them. Ohio Edison denies any remaining allegations contained in the typed, unnumbered pages of the Complaint.

### **SECOND DEFENSE**

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

### **THIRD DEFENSE**

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

### **FOURTH DEFENSE**

10. 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.

### **FIFTH DEFENSE**

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

### **SIXTH DEFENSE**

12. 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,

/s/Kristen M. Fling  
Kristen M. Fling (0099678)  
(Counsel of Record)  
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*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 9th day of July 2021:

Yolanda G. Stewart  
251 Eaton Ridge Dr., Apt. 101  
Northfield, Ohio 44067

/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**

**7/9/2021 8:16:57 AM**

**in**

**Case No(s). 21-0734-EL-CSS**

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