

JAMES TIETGE)	
1066 N. Clayton Rd.)	
New Lebanon, Ohio 45345)	Case No. 21-747-EL-CSS
)	
Complainant,)	
v.)	
)	
The Dayton Power and Light Company)	
d/b/a AES Ohio)	
1065 Woodman Drive)	
Dayton, Ohio 45432)	
)	
Respondent.)	

Now comes the Dayton Power and Light Company d/b/a/ AES Ohio (“AES Ohio” or “Respondent” or “the Company”), by and through counsel, and for its answer to the Complaint filed in this docket by James W. Tietge (“Complainant”), hereby states as follows:

1. On or about June 28, 2021, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by Complainant related charges associated with Complainant’s account.
2. AES Ohio admits that Complainant’s account associated with 1066 N Clayton Rd., New Lebanon, Ohio 45354 was charged \$270.32 in “Miscellaneous Charges” on the January 22, 2021 bill, which were related to a balance transfer from services rendered at 30 Mills Pl. New Lebanon, Ohio 45345.
3. The Respondent, AES Ohio, denies or is without sufficient knowledge to ascertain the veracity of the remaining allegations as described in the Complaint and

therefore denies the same. At all pertinent times, AES Ohio has complied with all relevant statutes, regulations, and approved tariffs.

FIRST AFFIRMATIVE DEFENSE

4. The Complainant fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

SECOND AFFIRMATIVE DEFENSE

5. The Complainant fails to state a claim upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

6. At all pertinent times, AES Ohio has complied with all relevant statutes, regulations, and approved tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FOURTH AFFIRMATIVE DEFENSE

7. Complainant lacks standing to bring this action.

FIFTH AFFIRMATIVE DEFENSE

8. Failure to perfect proper service of Complaint.

SIXTH AFFIRMATIVE DEFENSE

9. Complainant's claims are time-barred.

SEVENTH AFFIRMATIVE DEFENSE

10. AES Ohio reserves the right to raise any additional affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent respectfully requests that the Commission dismiss AES Ohio from this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with the Complainant to determine whether a mutually acceptable resolution is possible.

Respectfully submitted,

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

*Counsel of Record

AES Ohio

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Dayton, OH 45432

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Attorney for AES Ohio

(willing to accept electronic service)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via ordinary mail,
postage prepaid, this 13th day of July, 2021 to the following:

James Tietge
1066 N. Clayton Rd.
New Lebanon, Ohio 45345

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 21-0747-EL-CSS

Summary: Answer , Motion to Dismiss, and Request for Mediation electronically filed by Mr. Michael J Schuler on behalf of The Dayton Power and Light Company d/b/a AES Ohio