

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF
YOLANDA G. STEWART AGAINST THE
OHIO EDISON COMPANY FOR ALLEGED
UNFAIR BUSINESS PRACTICES.

CASE NO. 21-734-EL-CSS

IN THE MATTER OF THE COMPLAINT OF
YOLANDA G. STEWART AGAINST THE
OHIO EDISON COMPANY FOR ALLEGED
UNFAIR BUSINESS PRACTICES.

CASE NO. 21-800-EL-CSS

ENTRY

Entered in the Journal on August 23, 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} The Ohio Edison Company (Ohio Edison) is a public utility as defined in R.C. 4905.02. Accordingly, Ohio Edison is subject to the Commission's jurisdiction.

{¶ 3} On June 21, 2021, Yolanda G. Stewart (Complainant) filed a complaint against Ohio Edison alleging unfair billing practices concerning Ohio Edison's furnishing of billing statements to her, among other issues. The complaint filed June 21, 2021 was docketed in Case No. 21-734-EL-CSS.

{¶ 4} On July 15, 2021, Ms. Stewart filed a second complaint against Ohio Edison alleging some of the same and some additional issues concerning Ohio Edison's billing practices, including, but not limited to issues with her electric meter and Ohio Edison's readings from that meter. The complaint filed on July 15, 2021 was docketed in Case No. 21-800-EL-CSS.

{¶ 5} On July 9, 2021, Ohio Edison filed its answer in Case No. 21-734-EL-CSS, in which it admits to some allegations in the complaint, denies some allegations, and asserts several affirmative defenses.

{¶ 6} On July 30, 2021, Ohio Edison filed in both Case No. 21-734-EL-CSS and 21-800-EL-CSS a motion to consolidate and answer to the complaint filed July 15, 2021, in case No. 21-800-EL-CSS. In its July 30, 2021 filing, Ohio Edison incorporates by reference its answer from Case No. 21-734-EL-CSS and denies any remaining allegations. Further, Ohio Edison moved for the two cases to be consolidated where there is a common question of law and fact. Ohio Edison asserts that the two cases are factually identical and involve the same parties, making consolidation convenient and efficient for both parties.

{¶ 7} Because the above-captioned cases involve the same parties and concern the same facts and legal questions, the attorney examiner finds that Ohio Edison's motion to consolidate the cases should be granted, in the spirit of administrative efficiency. The attorney examiner notes that consolidation will not only promote efficiency in the resolution of these cases, but that no party will be prejudiced by the consolidation.

{¶ 8} At this time, the Attorney Examiner finds that this matter should be scheduled for a settlement conference to give the parties an opportunity to explore the parties' willingness to resolve the case to their mutual satisfaction ahead of a hearing in this matter. The settlement conference shall occur telephonically on October 5, 2021 at 10:00 a.m. To participate in the settlement conference, the parties shall call 1-614-721-2972 and enter access code 984 221 653# when prompted.

{¶ 9} 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.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the above-captioned cases be consolidated. It is, further,

{¶ 12} ORDERED, That a settlement conference be scheduled for October 5, 2021, as provided in Paragraph 8. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jesse M. Davis

By: Jesse M. Davis
Attorney Examiner

JRJ/mef

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in

Case No(s). 21-0734-EL-CSS, 21-0800-EL-CSS

Summary: Attorney Examiner Entry granting the motion to consolidate and scheduling a settlement conference for October 5, 2021 at 10:00 a.m. electronically filed by Ms. Mary E. Fischer on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio