

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

MICHAEL S. ROOTE,

Complainant,

v.

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

Respondent.

Case No. 21-0011-EL-CSS

Public Comment

This is an opinion about this whole process. As a customer coming to the PUCO with a credible story about a safety issue, my expectation was that the PUCO would reply: "Thank you. We will look into this, let you know the results of our investigation, and contact you if we need any more information."

instead, they point me to the process we are currently engaged in. Where I am asked to conduct the investigation on my own, collect all the evidence, present the evidence, working not on my own behalf, but for ALL the customers of CEI. And I do this alone, while the utility, who really should be working with me, is working to protect only their self-interest. They spend millions of our dollars running advertisements about their focus on safety, and instead of working with the customer and PUCO to remedy an obvious safety issue they array teams of lawyers to try and hide their misconduct. And they have almost unlimited resources to array against me including their own lawyers, outside counsel they have hired to act on their behalf, and if recent reports are correct, at least 65 million dollars to buy political influence with "the people's" elected state representatives. Why do I feel like I am doing the PUCO's job for them? and I ask myself, is this what the legislators really had in mind when they created the PUCO? That all a citizen is entitled to is an impartial referee?

The mission statement of the PUCO is "Our mission is to assure all residential and business consumers access to adequate, **safe** and reliable utility services at fair prices, while facilitating an environment that provides competitive choices." Yet the PUCO Attorney Examiner dismissed the safety claims of the complaint before there is even a hearing of the evidence. How does that fulfill the stated mission of the PUCO?

And I am not equipped to be effective in this process. I am not a lawyer who is trained in the Rules, Administrative Codes, and Procedures one would need to know to succeed in this process. It is the PUCO that has the authority granted to it by the State Legislature to conduct the investigation. The PUCO doesn't need to request discovery - under law, they can simply show up and examine any records possessed by the Utility or conduct interviews of any or all of the employees involved. In addition the Ohio Legislators created the Office Of Consumer Counsel, OCC, which won't help me, but provides the PUCO another legion of lawyers to help them investigate the utilities and battle them in the courts!

Nor can I fathom the reasoning of CEI and the lawyers representing them. Michael Roote vs CEI will forever be a part of the public record. If CEI continues the practice of restoring power to areas without first disconnecting and inspecting and making safe properties that have reported wires down and/or damage to service entry, it is not a matter of if, but when this practice will cause a fire, with the potential for loss of life, or result in someone's electrocution. How will CEI defend themselves when criminal investigators or plaintiffs uncover this prior complaint if they have made no changes? Instituting Complainant's first remedy is not only the moral, ethical, and responsible thing to do, failure of counsel to recommend it to his client is, in my opinion legal malpractice.

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Summary: Public Comment Opinion regarding PUCO Complaint process from CEI customer.
electronically filed by Mr. Michael S Roote on behalf of Roote, Michael S Mr.