

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF MICHAEL HARVEY CO.,
L.P.A.**

V.

CASE NO. 21-735-EL-CSS

**THE CLEVELAND ELECTRIC ILLUMINATING
COMPANY,**

RESPONDENT.

ENTRY

Entered in the Journal on September 8, 2021

I. SUMMARY

{¶ 1} The Commission grants the joint motion to dismiss with prejudice, as the parties have settled all issues in the complaint.

II. DISCUSSION

{¶ 2} 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 telephone company that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 3} The Cleveland Electric Illuminating Company (CEI) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On June 21, 2021, as supplemented on July 26, 2021, and August 2, 2021, Michael Harvey (Mr. Harvey or Complainant) filed a complaint against CEI, alleging frequent power outages of varying duration in 2021, even though residences across the street from him did not lose power. Complainant adds that, because of the outages, he must reset any appliances that use power in his office. Mr. Harvey contends that he has not received any explanation from CEI regarding the cause of the outages, and he seeks a reduction in his electric bill because of the frequent power losses.

{¶ 5} CEI filed its answer on July 12, 2021. CEI explains that homes across the street from Complainant are on a different circuit and thus may not lose power when Mr. Harvey experiences power outages. CEI denies any other allegations made by Complainant.

{¶ 6} The parties participated in a settlement conference on August 18, 2021.

{¶ 7} On August 19, 2021, the parties filed a joint motion to dismiss the complaint with prejudice. In the joint motion, the parties indicate that all issues and claims have been resolved. The parties request that the matter be dismissed with prejudice.

{¶ 8} The Commission finds that the parties' joint motion to dismiss the complaint with prejudice is reasonable and should be granted.

III. ORDER

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the parties' joint motion to dismiss the complaint with prejudice be granted. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon the parties and all interested persons of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair

M. Beth Trombold

Lawrence K. Friedeman

Dennis P. Deters

JML/hac

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Case No(s). 21-0735-EL-CSS

Summary: Entry granting the joint motion to dismiss with prejudice, as the parties have settled all issues in the complaint electronically filed by Heather A. Chilcote on behalf of Public Utilities Commission of Ohio