

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
CONTAINER GRAPHICS CORPORATION,**

COMPLAINANT,

v.

TALEN ENERGY MARKETING, LLC,

CASE NO. 21-925-EL-CSS

AND

THE TOLEDO EDISON COMPANY,

RESPONDENTS.

ENTRY

Entered in the Journal on September 10, 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. Additionally, pursuant to R.C. 4928.16, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision of by of an electric services company subject to certification under R.C. 4928.08 of any service for which it is subject to certification.

{¶ 2} Talen Energy Marketing, LLC (Talen) is an electric services company as defined in R.C. 4928.01 and is certified to provide competitive retail electric service under R.C. 4928.08. Accordingly, Talen is subject to the Commission's jurisdiction.

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

{¶ 4} On September 8, 2021, Container Graphics Corporation (CGC or Complainant) filed a request to prevent termination of service and complaint jointly against

Talen and Toledo Edison (collectively, Respondents). The complaint alleges billing improprieties by the joint Respondents and seeks protection against service interruption during the pendency of the case. Further, CGC commits to paying billed amounts that are not in dispute during the pendency of its complaint.

{¶ 5} Ohio Adm.Code 4901-9-01(E) provides that, if a person filing a complaint against a public utility is facing termination of service, that person may request, subject to the requestor's commitment to pay amounts that are not in dispute, that the Commission prevent termination of service during the pendency of the complaint.

{¶ 6} Upon review of the complaint and request to prevent termination of service, the attorney examiner finds that CGC has provided a sufficient basis for its request and there appears to be a genuine billing dispute between the parties. Therefore, pursuant to Ohio Adm.Code 4901-9-01(E), Toledo Edison should refrain from terminating Complainant's service during the pendency of this complaint, unless otherwise ordered. CGC should continue to pay all amounts that are not in dispute, consistent with both the commitment made in its request and the Commission's rules.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Toledo Edison refrain from terminating Complainant's service during the pendency of this complaint, as described in Paragraph 6. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Michael L. Williams

By: Michael L. Williams
Attorney Examiner

MJA/hac

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in

Case No(s). 21-0925-EL-CSS

Summary: Attorney Examiner Entry ordering that Toledo Edison refrain from terminating Complainant's service during the pendency of this complaint, as described in Paragraph 6 electronically filed by Heather A. Chilcote on behalf of Michael L. Williams, Attorney Examiner, Public Utilities Commission of Ohio