

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF GEORGE CLOS,**

**COMPLAINANT,**

**V.**

**CASE NO. 21-869-EL-CSS**

**THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on September 13, 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 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.

{¶ 3} On August 18, 2021, George Clos (Mr. Clos or Complainant) filed a complaint against CEI, alleging that CEI's billing is not transparent to customers. Complainant asserts that the Distribution Related Component (DRC) and the Cost Recovery Charges (CRC) on the bill provide no detail of how the respective charges are calculated. Complainant contends that he contacted CEI requesting an explanation of how these charges are determined, but no explanation was provided. Complainant observes that 97 per cent of his July bill is attributable to DRC and CRC. Mr. Clos contends that his bill for the June/July 2021 period is \$186.76 and that, in contrast to CEI's charges, there is transparency in how to determine the \$63.92 charge from his electric supplier.

{¶ 4} In an answer filed September 7, 2021, CEI asserts that its Commission-approved tariff and riders provide in detail the breakdown of how DRC and CRC are

calculated. CEI contends that its tariff states that distribution charges including “applicable riders, as designated on the Summary Rider Tariff Sheet 80, shall be added to the Rates and charges set forth above.” CEI also notes that the information provided on customer bills complies with electric utility customer billing requirements set forth in Ohio Adm.Code 4901:1-10-22. In addition, CEI asserts, after Mr. Clos contacted CEI on July 14, 2021, he was given guidance concerning CRC and was provided with information for contacting the Commission. CEI admits that CRC and DRC comprise most of Mr. Clos’s bill. Finally, CEI admits that Complainant’s bill for the June-July 2021 billing period was \$186.76 and that Mr. Clos’s charges from his electric supplier were \$63.92. CEI denies, or lacks knowledge or information to respond to, Mr. Clos’s remaining allegations.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference to be conducted by telephone. The purpose of the settlement conference will be to explore the parties’ willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission’s legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} Accordingly, a telephone conference shall be scheduled for September 27, 2021, at 10:00 a.m. The parties shall dial 1-614-721-2972 and enter conference code 959 028 471#. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-26(F) the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement

conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues.

{¶ 8} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E. 2d 666 (1966).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a telephone settlement conference be scheduled on September 27, 2021, at 10:00 a.m., as indicated in Paragraph 6. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

By: James M. Lynn  
Attorney Examiner

JRJ/hac

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 21-0869-EL-CSS**

Summary: Attorney Examiner Entry ordering that a telephone settlement conference be scheduled on September 27, 2021, at 10:00 a.m., as indicated in Paragraph 6 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission