

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
JAMES EHRET,**

COMPLAINANT,

v.

CASE NO. 21-862-GA-CSS

COLUMBIA GAS OF OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on September 16, 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} Columbia Gas of Ohio, Inc. (Columbia) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On August 12, 2021, James Ehret (Complainant) filed a complaint against Columbia, alleging damage to his home's outer wall when Columbia contractor Woolpert Inc. (Woolpert) "modified" his gas meter on March 16, 2021. Complainant alleges that, after Woolpert left the premises, cracks were found in the outer wall extending 12 feet upward directly above the gas meter; no cracks on any other wall are present. According to Complainant, he contacted Columbia the following day; Columbia sent an employee who took photos of the cracks and assured Complainant that Columbia would contact him to determine a solution. However, Complainant contends that, despite subsequent visits by Columbia, Columbia has concluded that Woolpert must correct the damage. Complainant adds that Woolpert has also visited the premises but, Complainant asserts,

Woolpert's insurer Travelers Insurance has little interest in addressing the matter. Complainant emphasizes that, although he received some compensation for repairs from his property insurer State Farm, he believes that Columbia should pay him for the repairs, after which he will return State Farm's payment. Complainant adds that State Farm has completed an investigation and determined that the Woolpert employee caused the damage.

{¶ 4} Columbia filed its answer on August 30, 2021. Columbia contends that Complainant has not stated reasonable grounds for complaint and that Columbia has complied with all applicable Ohio statutes and Commission rules.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference 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 October 18, 2021, at 10:00 a.m. The parties shall dial 1-614-721-2972 and enter conference code 331 724 598# to participate. 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 in 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 settlement conference by telephone be scheduled for October 18, 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

James M. Lynn
Attorney Examiner

SJP/hac

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in

Case No(s). 21-0862-GA-CSS

Summary: Attorney Examiner Entry ordering that a settlement conference by telephone be scheduled for October 18, 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