

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF NINA JONES,

COMPLAINANT,

v.

CASE NO. 21-123-EL-CSS

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

RESPONDENT.

ENTRY

Entered in the Journal on September 23, 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 February 9, 2021, as supplemented on March 3 and March 15, 2021, Nina Jones (Complainant or Ms. Jones) filed a complaint against CEI, objecting to an increase in bills and the disconnection notices that she has received. The remainder of the complaint consists of details concerning the date and amount of her payments, as well as correspondence received from CEI.

{¶ 4} CEI filed its answer on March 1, 2021. CEI denies that it improperly increased Complainant's bills and improperly placed disconnection notices on Ms. Jones's bills. CEI also denies that it improperly changed Complainant's payment plan. CEI denies any other allegations made by Ms. Jones.

{¶ 5} By Entry issued March 5, 2021, a prehearing settlement teleconference was scheduled for, and took place, on March 17, 2021. No resolution of the case occurred at that time. The parties have continued settlement discussions in a series of teleconferences that have been informally scheduled by the mediating attorney examiner. Recently, the mediating attorney examiner has been unable to reach Complainant by telephone in order to schedule a settlement teleconference.

{¶ 6} 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 continuing settlement negotiations prior to the settlement teleconference being scheduled in this Entry.

{¶ 7} Accordingly, a telephone settlement conference shall be scheduled for October 8, 2021, at 1:30 p.m. To participate in the teleconference, the parties shall dial (614) 721-2972 and conference code 467 045 506#.

{¶ 8} 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 teleconference, and all parties participating in the teleconference shall be prepared to discuss settlement of the issues raised and shall have authority to settle those issues.

{¶ 9} 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).

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That a settlement teleconference be scheduled for October 8, 2021, at 1:30 p.m., as indicated in Paragraph 7. It is, further,

{¶ 12} 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

SJP/hac

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 21-0123-EL-CSS

Summary: Attorney Examiner Entry ordering that a settlement teleconference be scheduled for October 8, 2021, at 1:30 p.m., as indicated in Paragraph 7 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission