

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

|                                     |   |                         |
|-------------------------------------|---|-------------------------|
| Vilson Mihaj                        | ) |                         |
|                                     | ) |                         |
| Complainant,                        | ) |                         |
|                                     | ) | Case No. 21-1017-EL-CSS |
| v.                                  | ) |                         |
|                                     | ) |                         |
| The Cleveland Electric Illuminating | ) |                         |
| Company                             | ) |                         |
|                                     | ) |                         |
| Respondent.                         | ) |                         |

**ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

The Cleveland Electric Illuminating Company (“CEI”) is a public utility company as defined by §4905.03(C) of the Ohio Revised Code and is duly organized and existing under the laws of the State of Ohio. The Complaint of Vilson Mihaj (“Complainant”) consists of various assertions and allegations of unfair billing practices presented on one typed page. To the extent CEI does not respond to a specific allegation, CEI denies any such allegation.

Therefore, in accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, CEI, for its Answer to the Complaint states:

1. In response to the top half of the cover page of the Complaint, CEI admits that Complainant is its customer and that he receives electric service at the service address listed and pursuant to the account number(s) provided. To the extent any further allegations are intended on the top half of the cover page, CEI is without knowledge or information sufficient to form a belief as to the truth of the allegation(s) and therefore denies them.
2. In response to the typed paragraph on the bottom half of the cover page of the Complaint, CEI admits that Complainant called CEI twice on May 10, 2021 to discuss

options available to place a “hold” on the electric service for his accounts associated with the 22660 Lorain Road service address. Answering further, CEI does not have knowledge or information as to any call to CEI by Complainant on May 1, 2021, and therefore denies. In response to Complainant’s allegation that a customer service representative told Complainant that he would not be charged or billed if he turned off the main breaker, and that “they confirmed [that he would not be billed] every time [Complainant] called,” CEI denies. Answering further, CEI states that representatives explained to Complainant during both May 10<sup>th</sup> calls that there is no way to place a “hold” on the accounts to avoid billing charges. Representatives further explained that turning off the main breaker would only prevent Complainant from accumulating usage charges, but other customer charges would still be billed accordingly. Complainant was also advised that terminating service to the accounts would be the only way to avoid receiving future monthly service charges. CEI admits that Complainant continued to receive bills for the accounts that Complainant selected not to terminate service for, as Complainant directed CEI during the May 10<sup>th</sup> calls to terminate service for some accounts, while leaving electric service active on others. CEI denies that Complainant “was misled and misinformed by the company.”

#### **FIRST DEFENSE**

1. The Complaint fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

#### **SECOND DEFENSE**

2. The Commission lacks personal jurisdiction over improperly named Respondent “Illuminating Company”.

### **THIRD DEFENSE**

3. At all times, CEI complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the PUCO, and its Tariff, PUCO No. 13, on file with the PUCO. These statutes, rules, regulations, orders and tariff provisions bar Complainant's claims.

### **FOURTH DEFENSE**

4. CEI reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, CEI respectfully requests an Order dismissing the Complaint and granting CEI all other necessary and proper relief.

Respectfully submitted,

/s/ Kristen M. Fling  
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*Attorney for The Cleveland Electric  
Illuminating Company*

### **CERTIFICATE OF SERVICE**

On October 19, 2021, the foregoing document was filed on the Public Utilities Commission of Ohio's Docketing Information System. The PUCO's e-filing system will electronically serve notice of the filing of this document on all parties of record in this proceeding. A service copy has been sent by U.S. Mail to the Complainant at the following address:

Vilson Mihaj  
2763 Pasadena Dr.  
Seven Hills, Ohio 44131

/s/ Kristen M. Fling  
Kristen M. Fling  
*Attorney for The Cleveland Electric  
Illuminating Company*

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

**Commission of Ohio Docketing Information System on**

**10/19/2021 8:28:59 AM**

**in**

**Case No(s). 21-1017-EL-CSS**

Summary: Answer Answer of The Cleveland Electric Illuminating Company electronically filed by Ms. Kristen M. Fling on behalf of The Cleveland Electric Illuminating Company