

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
WILLIAM N. MILLER AND KEITH A.
BURROWS,**

CASE No. 21-630-EL-CSS

COMPLAINANTS,

v.

**DAYTON POWER AND LIGHT COMPANY
D/B/A AES OHIO,**

RESPONDENT.

ENTRY

Entered in the Journal on October 20, 2021

I. SUMMARY

{¶ 1} The Commission grants the joint motion to dismiss the complaint with prejudice, as all issues in the complaint have been resolved.

II. DISCUSSION

{¶ 2} 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.

{¶ 3} The Dayton Power and Light Company d/b/a AES Ohio (AES Ohio or Respondent) is a public utility as defined in R.C. 4905.26. Accordingly, AES Ohio is subject to the Commission's jurisdiction.

{¶ 4} On May 26, 2021, William N. Miller and Keith A. Burrows (Complainants) filed a complaint against AES Ohio alleging that AES Ohio failed to adequately respond to a downed power line incident which occurred at Complainants' home in late March and early April of 2021. Further, Complainants allege that AES Ohio has failed to adequately

address safety concerns which arise over the manner in which the power line has, all along, both before and since that incident, been connected to Complainants' home.

{¶ 5} On July 27, 2021, AES Ohio filed its answer in which it admits some, and denies others of the complaint's allegations and sets forth several affirmative defenses.

{¶ 6} By Entry issued September 9, 2021, a settlement teleconference was scheduled for September 14, 2021. Both parties participated in the settlement teleconference, which was held as scheduled.

{¶ 7} On October 1, 2021, the parties filed a joint motion to dismiss, indicating that they have entered into a settlement that resolves all issues raised in the complaint. The parties request that the complaint be dismissed with prejudice.

{¶ 8} The Commission finds reasonable the joint motion to dismiss the complaint with prejudice and grants the request.

III. ORDER

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the joint motion to dismiss the complaint with prejudice be granted. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

DEF/kck

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Case No(s). 21-0630-EL-CSS

Summary: Entry granting the joint motion to dismiss the complaint with prejudice, as all issues in the complaint have been resolved. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio