

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
KENT BRYSON,**

CASE NO. 20-1751-GA-CSS

COMPLAINANT,

v.

DUKE ENERGY OHIO, INC.,

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} Duke Energy Ohio, Inc. (Duke or Respondent) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02. As such, Duke is subject to the Commission's jurisdiction.

{¶ 4} On December 1, 2020, Kent Bryson (Mr. Bryson or Complainant) filed a complaint against Duke, in which he argues that Respondent should be precluded from charging Complainant for gas service at a rental property that he owns in Cincinnati, which Mr. Bryson claims has been vacant since October 2013.

{¶ 5} On December 21, 2020, Duke filed its answer, in which it generally denies all of the complaint's allegations, asserts its own allegations of fact, and sets forth several affirmative defenses.

{¶ 6} By Entry issued December 29, 2020, a settlement teleconference was scheduled for January 19, 2021. Both parties participated in the settlement teleconference, which was held as scheduled.

{¶ 7} On September 27, 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). 20-1751-GA-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