

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
CONTAINER GRAPHICS CORPORATION,**

COMPLAINANT,

v.

TALEN ENERGY MARKETING, LLC,

CASE NO. 21-925-EL-CSS

AND

THE TOLEDO EDISON COMPANY,

RESPONDENTS.

ENTRY

Entered in the Journal on October 27, 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. Additionally, pursuant to R.C. 4928.16, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision of by of an electric services company subject to certification under R.C. 4928.08 of any service for which it is subject to certification.

{¶ 2} Talen Energy Marketing, LLC (Talen) is an electric services company as defined in R.C. 4928.01 and is certified to provide competitive retail electric service under R.C. 4928.08. Accordingly, Talen is subject to the Commission's jurisdiction.

{¶ 3} The Toledo Edison Company (Toledo Edison) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On September 8, 2021, Container Graphics Corporation (CGC or Complainant) filed a request to prevent termination of service and complaint jointly against Talen and Toledo Edison (collectively, Respondents). The complaint alleges billing

improprieties by the joint Respondents and seeks protection against service interruption during the pendency of the case. Further, CGC commits to paying billed amounts that are not in dispute during the pendency of its complaint.

{¶ 5} Pursuant to an Entry on September 10, 2021, the attorney examiner granted CGC's request to prevent termination of service during the pendency of this complaint.

{¶ 6} On September 24, 2021, the parties filed a joint motion for an extension of time to answer the complaint. In the motion, the parties indicated that the extension of time would allow them to focus on settlement considerations in lieu of expending time and expense on litigation. The parties requested both an expedited ruling on the motion and that the new deadline for responding to the complaint be set on October 28, 2021.

{¶ 7} Also on September 24, 2021, the attorney examiner granted the joint motion for extension of time, setting October 28, 2021 as the new deadline for responding to the complaint.

{¶ 8} On October 26, 2021, the parties filed a second joint motion for an extension of time to answer the complaint. The parties indicate that settlement negotiations are continuing and the extension will allow them to focus on settlement considerations in lieu of expending time and expense on litigation. The parties request both an expedited ruling on the motion and that the new deadline for responding to the complaint be set on November 30, 2021.

{¶ 9} Upon review of the motion, the attorney examiner finds good cause for granting the extension of time for responding to the complaint. Accordingly, the deadline for both Talen and Toledo Edison to respond to the complaint is extended until November 30, 2021.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the deadline for responding to the complaint be extended, as described in Paragraph 9. 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/Michael L. Williams

By: Michael L. Williams
Attorney Examiner

NJW/hac

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in

Case No(s). 21-0925-EL-CSS

Summary: Attorney Examiner Entry ordering that the deadline for responding to the complaint be extended, as described in Paragraph 9 electronically filed by Heather A. Chilcote on behalf of Michael L. Williams, Attorney Examiner, Public Utilities Commission of Ohio