

EDDIE THOMAS)
529 Grafton Ave.)
Dayton, Ohio 45406) **Case No. 21-934-EL-CSS**
))
Complainant,)
v.)
))
THE DAYTON POWER AND LIGHT)
COMPANY D/B/A AES OHIO)
1065 Woodman Drive)
Dayton, Ohio 45432)
))
Respondent.)

Now comes the Dayton Power and Light Company d/b/a/ AES Ohio (“AES Ohio” or “Respondent” or “the Company”), by and through counsel, and for its answer to the Complaint filed in this docket by Eddie Thomas (“Complainant”), hereby states as follows:

1. On or about September 10, 2021, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by the Complainant related to billing issues associated with the property located at 445 Sandhurst Drive, Dayton, Ohio 45405.
2. The Respondent, AES Ohio, denies or is without sufficient knowledge to ascertain the veracity of the remaining allegations as described in the Complaint and therefore denies the same. At all pertinent times, AES Ohio has complied with all relevant statutes, regulations, and approved tariffs.

FIRST AFFIRMATIVE DEFENSE

3. Complainant fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

SECOND AFFIRMATIVE DEFENSE

4. Complainant fails to state a claim upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

5. At all pertinent times, AES Ohio has complied with all relevant statutes, regulations, and approved tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FOURTH AFFIRMATIVE DEFENSE

6. Complainant lacks standing to bring this action.

FIFTH AFFIRMATIVE DEFENSE

7. Failure to perfect proper service of Complaint.

SIXTH AFFIRMATIVE DEFENSE

8. Complainant's claims are time-barred.

SEVENTH AFFIRMATIVE DEFENSE

9. AES Ohio reserves the right to raise any additional affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent respectfully requests that the Commission dismiss AES Ohio from this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with the Complainant to determine whether a mutually acceptable resolution is possible.

Respectfully submitted,

/s/ Joseph G. Strines

Joseph G. Strines (0069878)

*Counsel of Record

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Attorney for AES Ohio

(willing to accept electronic service)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via ordinary mail,
postage prepaid, this 8th day of November, 2021 to the following:

Eddie Thomas
529 Grafton Ave.
Dayton, Ohio

/s/ Joseph G. Strines

Joseph G. Strines (0069878)

**This foregoing document was electronically filed with the Public Utilities
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Case No(s). 21-0934-EL-CSS

Summary: Answer electronically filed by Carrie Inman on behalf of The Dayton
Power and Light Company d/b/a AES Ohio