

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
MARK FREYHOF DBA GREAT  
INVESTMENT PROPERTIES, LLC,**

**COMPLAINANT,**

**CASE NO. 21-1142-EL-CSS**

**v.**

**OHIO EDISON COMPANY,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on December 21, 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.

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

{¶ 3} On November 3, 2021, Mark Freyhof dba Great Investment Properties, LLC (Complainant) filed a complaint against OEC, alleging incorrect billing for his rental properties. Complainant contends that it initially learned of a billing problem with OEC when a charge on a September 8, 2021 bill was transferred from 891½ E. Church Street (Church Street) to Complainant's account for 248 N. State Street (State Street). Complainant states that it contacted OEC about the transferred charge and was told that OEC was sending bills to Complainant electronically; however, Complainant asserts, it always requests paper billing. Complainant adds that it was unaware of the billing issue at Church Street for six months and was never notified that payments were not being made. According to Complaint, because of the billing error, it is being charged late fees, and has had to make a deposit on another property where it requested OEC service.

Complainant seeks to remove the Church Street charge and any late fees from its State Street account, with no additional deposits needed for any subsequent accounts that it opens.

{¶ 4} OEC filed its answer on November 22, 2021. OEC contends that Complainant obtained service at Church Street on February 10, 2021, and that the account was established with electronic billing at Complainant's request to [freymk@aol.com](mailto:freymk@aol.com). OEC adds that some prospective tenants for Church Street requested service, but were denied twice because of "identification issues," so Complainant was electronically billed. According to OEC, the Church Street electronic billing continued because Complainant never requested to end service at that location. OEC contends that, in July 2021, service was disconnected at Church Street for nonpayment; because no payment was made to restore service, the account was final billed and sent by email to [freymk@aol.com](mailto:freymk@aol.com) at the State Street account. OEC denies any other allegations made in the complaint.

{¶ 5} The parties participated in a December 20, 2021 settlement conference and agreed to continue discussions during another such conference.

{¶ 6} Accordingly, a second telephone conference shall be scheduled for February 3, 2022, at 10:00 a.m. The parties shall dial 1-614-721-2972 and enter conference code 789 049 483# to participate. If a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 7} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a settlement conference by telephone be scheduled for February 3, 2022, at 10:00 a.m., as indicated in Paragraph 6. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

James M. Lynn  
Attorney Examiner

GAP/hac

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

**Case No(s). 21-1142-EL-CSS**

Summary: Attorney Examiner Entry ordering that a settlement conference by telephone be scheduled for February 3, 2022, at 10:00 a.m., as indicated in Paragraph 6 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission