

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF PATRICIA RAYMOND,

COMPLAINANT,

v.

CASE NO. 21-787-EL-CSS

OHIO EDISON COMPANY,

RESPONDENT.

ENTRY

Entered in the Journal on January 11, 2022

{¶ 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 July 8, 2021, Patricia Raymond (Ms. Raymond or Complainant) filed a complaint against OEC. Complainant contends that on February 23, 2021, WEI Energy Inc. (WEI), a subcontractor for OEC, installed a new smart meter at her home. Ms. Raymond alleges that, before making the change in meters, the WEI service representative informed her that power would be disrupted for about 15 seconds during installation. Complainant adds that, during the procedure, she “heard a loud cracking sound,” lights were flashing, and her refrigerator was “going crazy.” Ms. Raymond explains that she called WEI and was told to unplug her refrigerator, which was difficult because of the location of the electrical outlet. Complainant adds that a WEI agent sent after installation checked the meter and told her that the meter was “fine,” but did write a claim for the refrigerator. In Ms. Raymond’s opinion, there was a power surge when WEI installed the new meter, and the surge “blew out my thermostat, two televisions, my cable box and my in-house

vacuum system,” in addition to causing her refrigerator to operate incorrectly. Complainant explains that WEI has denied her claim. She adds that she also contacted OEC, but neither OEC nor WEI take responsibility. Finally, Complainant expresses concern about the number of service technicians who have entered her residence to repair damaged appliances, thus placing her at risk of Covid.

{¶ 4} OEC filed its answer on July 28, 2021. OEC admits that a smart meter was installed at Complainant’s address on February 23, 2021, and that WEI performed a field visit at Ms. Raymond’s home on July 28, 2021, in response to her complaint regarding damage to appliances. OEC states that the WEI representative investigated the meter socket and meter but did not find any signs of overheating or arc damage, which would indicate whether a surge had occurred. OEC admits that it denied Ms. Raymond’s claim for damages to her appliances.

{¶ 5} The attorney examiner finds that this matter should be scheduled for a settlement conference to be conducted by telephone. The purpose of the settlement conference will be to explore the parties’ willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission’s legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} Accordingly, a telephone conference shall be scheduled for January 26, 2022, at 10:00 a.m. The parties shall dial 1-614-721-2972 and enter conference code 588 687 182#. 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} Pursuant to Ohio Adm.Code 4901-1-26(F) the representatives of the public utility shall investigate the issues raised on the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the authority to settle those issues.

{¶ 8} 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).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a telephone settlement conference be scheduled on January 26, 2022, at 10:00 a.m., as indicated in Paragraph 6. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

By: 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). 21-0787-EL-CSS

Summary: Attorney Examiner Entry ordering that a telephone settlement conference be scheduled on January 26, 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