

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
JAMES EHRET,**

**COMPLAINANT,**

**v.**

**CASE NO. 21-862-GA-CSS**

**COLUMBIA GAS OF OHIO, INC.,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on January 12, 2022

**I. SUMMARY**

{¶ 1} The Commission grants the joint motion to dismiss the complaint, with prejudice, filed by the parties.

**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} Columbia Gas of Ohio, Inc. (Columbia) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On August 12, 2021, James Ehret (Complainant) filed a complaint against Columbia, alleging damage to his home's outer wall when Columbia contractor Woolpert Inc. (Woolpert) "modified" his gas meter on March 16, 2021. Complainant alleges that, after Woolpert left the premises, cracks were found in the outer wall extending 12 feet upward directly above the gas meter; no cracks on any other wall are present. According to Complainant, he contacted Columbia and was assured that a remedy would be found,

but Columbia eventually concluded that Woolpert must correct the damage. Complainant adds that Woolpert's insurer has little interest in addressing the matter. Complainant contends that, although he has been compensated for repairs by his property insurer State Farm, Columbia should pay him for the repairs, after which he will return to State Farm the compensation that he received from them.

{¶ 5} Columbia filed its answer on August 30, 2021. Columbia contends that Complainant has not stated reasonable grounds for complaint and that Columbia has complied with all applicable Ohio statutes and Commission rules.

{¶ 6} The parties participated in a settlement conference on October 18, 2021, and continued discussions afterwards.

{¶ 7} On December 1, 2021, the parties filed a joint motion to dismiss the complaint. In the accompanying memorandum in support, the parties state that all issues in the case have been resolved, and request that the case be dismissed with prejudice. The memorandum also states that, pursuant to Ohio Adm.Code 4901-9-01(F), if a public utility files a motion asserting that the complaint has been satisfied or the case settled, the complainant has 20 days after service of the motion to file a response, stating whether the complainant agrees or disagrees with the utility's assertions. If the complainant does not respond within 20 days, the Commission may presume that settlement has occurred and dismiss the complaint.

{¶ 8} Complainant did not respond to Columbia's motion by December 21, 2021, pursuant to Ohio Adm.Code 4901-9-01(F). Accordingly, the Commission finds that the joint motion is reasonable and that the complaint should be dismissed with prejudice.

### 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 this case be closed of record. It is, further,

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

COMMISSIONERS:

*Approving:*

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

JML/hac

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**Case No(s). 21-0862-GA-CSS**

Summary: Entry granting the joint motion to dismiss the complaint, with prejudice,  
filed by the parties. electronically filed by Ms. Mary E. Fischer on behalf of Public  
Utilities Commission of Ohio