

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Complaint  
of Peggy Dillow**

**Complainant,**

**v.**

**AEP Energy, Inc.,**

**Respondent.**

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**Case No. 22-0028-EL-CSS**

**ANSWER AND MOTION TO DISMISS  
OF RESPONDENT AEP ENERGY, INC.**

Pursuant to Rule 4901-9-01, Ohio Admi. Code, now comes Respondent AEP Energy, Inc. (“AEP Energy”) and files its Answer and Motion to Dismiss the January 11, 2022 Complaint filed in this proceeding:

**ANSWER TO ALLEGATIONS**

1. AEP Energy admits that Complainant had an account with AEP Energy at her address 6077 Newbury Ct., Columbus, Ohio 43229.
2. AEP Energy is without sufficient knowledge to either admit or deny the remaining statements in the Complaint.
3. AEP Energy denies any and all allegations not specifically admitted herein.

## **AFFIRMATIVE DEFENSES**

1. AEP Energy avers that, since the date of the Complaint, AEP Energy and the Complainant have settled the dispute that is the subject of the Complaint.

2. AEP Energy reserves the right to assert additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent AEP Energy respectfully requests that the Commission dismiss with prejudice Complainant Peggy Dillow's Complaint against it.

## **MOTION TO DISMISS**

Pursuant to Ohio Adm. Code 4901-1-12, AEP Energy hereby moves to dismiss the Complaint as settled pursuant to Ohio Adm. Code 4901-9-01(C)(4) and 4901-9-01(F). The grounds for this motion are set forth more fully in the accompanying Memorandum in Support.

## **MEMORANDUM IN SUPPORT**

Since the filing of the Complaint, Complainant Peggy Dillow and AEP Energy, Inc. have resolved all of the issues raised in the Complaint. As nothing further remains to be done to resolve the Complaint, and no further proceedings are necessary, the case should be dismissed as settled pursuant to Ohio Adm. Code 4901-9-01(C)(4) and 4901-9-01(F).

Pursuant to Ohio Adm. Code 4901-9-01(F), the Complainant has twenty days to file a written response to this Motion to Dismiss agreeing or disagreeing with AEP Energy's assertions. If no response is filed, the Commission may presume that satisfaction or settlement has occurred and dismiss Ms. Dillow's Complaint.

For the reasons set forth above, Respondent AEP Energy, Inc. respectfully requests that the Commission dismiss the Complaint against it as settled.

Respectfully submitted,

/s/Marsha D. Makel

Marsha D. Makel (0080747)

Senior Regulatory Counsel

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**Counsel for Respondent**

**AEP Energy, Inc.**

(willing to accept electronic service)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Answer and Motion to Dismiss of Respondent AEP Energy, Inc.* was served by regular mail upon Complainant Peggy Dillow at the address listed below on this 31st day of January, 2022.

Peggy Dillow  
6077 Newbury Ct.  
Columbus, OH 43229

**Complainant**

/s/Marsha D. Makel

Marsha D. Makel (0080747)

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

**Case No(s). 22-0028-EL-CSS**

Summary: Answer Answer and Motion to Dismiss of Respondent AEP Energy Inc  
electronically filed by Kristina L. Woods on behalf of AEP Energy, Inc.