

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF RICHARD MOLDAS,

COMPLAINANT,

v.

CASE NO. 21-1202-GA-CSS

**VECTREN ENERGY DELIVERY OF OHIO,
INC. DBA CENTERPOINT ENERGY OHIO,**

RESPONDENT.

ENTRY

Entered in the Journal on February 9, 2022

I. SUMMARY

{¶ 1} The Commission grants the request to dismiss the complaint, with prejudice, filed by Vectren Energy Delivery of Ohio, Inc. dba CenterPoint Energy Ohio.

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} Vectren Energy Delivery of Ohio, Inc. dba CenterPoint Energy Ohio (CEOH) 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 November 29, 2021, Richard Moldas (Complainant), on behalf of RPM Engineering LLC, filed a complaint against CEOH, requesting immediate continuation of a natural gas mainline for the Pinebrooke housing development (Pinebrooke) in Bellefontaine, Ohio. Complainant explains that he contacted CEOH on December 12, 2020, to request natural gas service for Pinebrooke, and sent emails to CEOH stating that city approval of Pinebrooke does not require an asphalt road, curbs, or sidewalks, because the streets in

Pinebrooke are privately owned. Complainant adds that, subsequently, CEOH requested a computer-aided design (CAD) file with road centerline and a property plat map to begin planning for gas line installation on March 30, 2021. Complainant states that the city emailed the CAD file and plat map to CEOH on May 14, 2021, and plans for Pinebrooke were officially recorded with the city on July 14, 2021.

{¶ 5} Complainant notes that, on September 17 and 23, 2021, he received emails from CEOH for his signature; the emails concerned a gas main extension contract and a letter stating that street crossings must be installed and marked, with the first layer of asphalt and curbs also installed. Complainant explains that he signed the letter, but he asserts that no drawing of street crossings was provided, and he reemphasizes that the city does not require asphalt street or curbs for Pinebrooke.

{¶ 6} Complainant states that, on October 5, 2021, he prepared a \$30,446.60 check for a gas main extension. Upon learning that CEOH subcontracted with Miller Pipeline to install the Pinebrooke gas main, Complainant met with a Miller Pipeline foreman; the foreman informed Complainant that the pipeline would cross the street in three places, and that CEOH would provide conduit for Complainant to install. Complainant contends that he was never provided with a final drawing of where the pipeline would cross the street, nor was he instructed concerning how to install the conduit. Complainant requests that CEOH proceed with installation of the gas mainline at Pinebrooke before winter 2022 and that the cost of installing the pipeline be reduced.

{¶ 7} On December 15, 2021, CEOH filed a motion for two additional weeks, until January 3, 2022, to file its answer. The attorney examiner granted the motion on December 17, 2021.

{¶ 8} CEOH filed its answer on January 3, 2022, contending that the complaint has been satisfied and the matter settled. CEOH requests an order dismissing the complaint with prejudice. CEOH also notes that, pursuant to Ohio Adm.Code 4901-9-01(F), Complainant has 20 days to file a written response agreeing or disagreeing with CEOH's

assertion of settlement; if no response is filed, the Commission may presume that satisfaction has occurred and dismiss the complaint.

{¶ 9} Complainant did not file a response by January 23, 2022, to CEOH's assertion that the matter has been settled. Accordingly, this complaint shall be dismissed with prejudice.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That CEOH's request to dismiss the complaint, with prejudice, be granted. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

JML/hac

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Case No(s). 21-1202-GA-CSS

Summary: Entry granting the request to dismiss the complaint, with prejudice, filed by Vectren Energy Delivery of Ohio, Inc. dba CenterPoint Energy Ohio.
electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio