

Public Utilities Commission of Ohio  
Attn: Docketing  
180 E. Broad St.  
Columbus, OH 43215

**Formal Complaint Form**

**FILE**

Tecumseh Landing LLC  
Customer Name (Please Print)

16 Corn Hill Drive  
Customer Address

Morristown NJ 07960  
City State Zip

**Against**

2194862849  
Account Number

10551 Buckeye Drive  
Customer Service Address (if different from above)

AES Ohio  
Utility Company Name

Huntsville OH 43324  
City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

See next page

2022 MAR 15 AM 11:24  
PUCO

[Signature]  
Signature Tecumseh Landing LLC  
11 MAR 22

862.812.0494  
Customer Telephone Number

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## Complaint

Tecumseh Landing LLC disputes a seven-year-old \$509.99 “miscellaneous services” charge that AES Ohio charged the Company in January 2022. AES Ohio claims the charge dates back to 2015; however, AES Ohio provided no documentation nor proof that the charge is legitimate.

Tecumseh Landing LLC requests the Ohio Public Utilities Commission rules the disputed charge is not valid and require AES Ohio to refund the amount paid.

Tecumseh Landing LLC, a small stand-alone business at Indian Lake, began as a customer of AES Ohio in April 2021. In April 2021 to begin service, AES Ohio required an application for service, which Tecumseh Landing provided and AES Ohio approved and began supplying electricity. Since that time, Tecumseh Landing LLC has paid its monthly charges promptly. These payments include the \$509.99 disputed charge because AES Ohio threatened to shut-off electricity one-month later if the charge was not paid which would have caused significant damage to the business.

The following evidence shows that AES Ohio’s \$509.99 charge is not valid.

**AES Ohio’s practice is unjust, unreasonable, and violates several commercial laws. Also, AES Ohio failed to follow the rules and regulations on file with the PUCO:**

1. AES Ohio admitted its practice is to destroy evidence, and AES Ohio admitted it did destroy evidence regarding Tecumseh Landing LLC, or a similarly named entity.
2. The burden of proof for invoicing an entity belongs to the entity making the invoice charge (AES Ohio), and AES Ohio fails this standard.
3. AES Ohio can not show proof that the charges are valid and belong to Tecumseh Landing LLC. Tecumseh Landing made the following requests of AES Ohio, which AES Ohio failed to provide:
  - a. Tecumseh Landing LLC’s application for service in 2015 that AES Ohio requires before starting service. This application could identify that the true customer was not Tecumseh Landing LLC. Not providing this application indicates AES Ohio violated its own policies and procedures which would make any invoice invalid.

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- b. AES Ohio's invoices showing the basis for charges to Tecumseh Landing LLC.  
No electricity usage or service charge documentation means nothing was owed:
    - i. Actual electricity usage over actual months
    - ii. Actual non-electricity services incurred over actual months
    - iii. Allocated charges that may not be permitted by law or by the PUCO
  - c. Billing address in 2015, which is commonly different than the service address.  
The billing address may indicate a different entity or an AES Ohio billing error.
  - d. Account number from 2015 which may identify a different entity or an AES Ohio billing error.
- 4. AES Ohio has deficient billing practices by invoicing without proper backup support.
  - 5. The purported charges occurred with the predecessor entity, Dayton Power & Light, which changed its name in 2021 to AES Ohio. Merging with AES Ohio and changing accounting and billing systems can create many record discrepancies which would invalidate the seven-year-old charges to Tecumseh Landing LLC.
  - 6. AES Ohio has not provided any billing quality measures. No company has 100% billing accuracy, and billing errors increase when merging with another company and subsequently changing accounting and billing systems. This may have resulted in AES Ohio making a billing error that it can not prove by destroying evidence.
  - 7. Different entities can have similar names. For example, Tecumseh Landing LLC versus Tecumseh-Landing LLC. The historical records that AES Ohio destroyed could easily clarify this.
  - 8. Too much time has passed in the last seven years to allow Tecumseh Landing to dispute a charge or to investigate for identity theft.
  - 9. The size of the charge is unreasonable.
    - a. Since starting service with OES Ohio in April 2021, the charges have been approximately \$25 per month. This is significantly less than the \$509.99 charge.

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b. AES quickly cuts-off power for non-payment which it did with Tecumseh Landing LLC after only one month. This indicates the \$509.99 charge came from only a short time meaning it could not result from many months of unpaid charges.

c. See attached billing statement showing low monthly charges and \$509.99 amount

10. AES Ohio's indiscriminate billing practices harms fair commerce which harms society in general. Indiscriminate billing, which is what Tecumseh Landing LLC is experiencing, slows down the speed of commerce, makes commerce less efficient, and has the effect of raising overall costs to consumers.

### **AES Ohio is discriminating against small businesses**

1. Small businesses do not have the resources to dispute false and indiscriminate charges. AES Ohio, a multi-billion-dollar company is taking unfair advantage of its large size versus Tecumseh Landing LLC with limited resources.

### **AES Ohio provided inadequate service**

1. Adequate service goes far beyond merely providing product. Timely and accurate billing for services is a key part of providing adequate service. AES Ohio provided inadequate service by billing Tecumseh Landing LLC seven years late without supporting backup evidence, and by threatening to cut off electric power within one month of the unpaid disputed charge.

### **Subpoena request**

Tecumseh Landing LLC requests AES Ohio's audited records from January 2015 – 2022

1. Billing errors
2. Customer invoice credits & allowances



MARK MISHLER  
16 CORN HILL RD  
MORRIS TOWNSHIP NJ 07960

Account Number  
Due Date  
Amount Due

Page 1 of 2  
8965271235  
02/08/2022  
\$32.94

### Monthly Account Summary

Mail Date: 01/18/2022

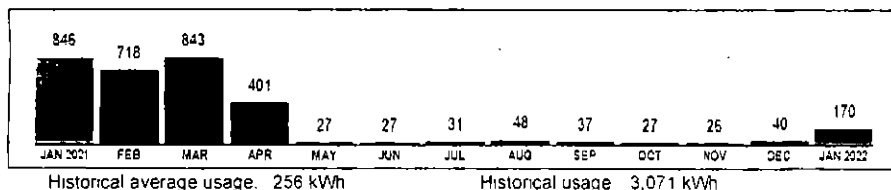
Previous Balance	\$20.24
01/06/2022 Payment - Thank You	-20.24
Balance Forward	0.00
Delivery Total Billed This Month	24.77
Supply Total Billed This Month	8.17
<b>Total Account Balance</b>	<b>\$32.94</b>

### Metered and Other Services

Service Address: LOT 8, ASH ST PUMP, HUNTSVL OH 43324

Next Reading Date: 02/11/2022

### Historical Usage



Billing	Average	Temperature
Period	Daily kWh	Avg High Avg Low
Same Period Last Year	25.6	40° 28°
Previous Period	1.3	48° 32
Current Period	5	46° 30°

### Usage Detail

Service	Meter Use	Billing Period From To	Billing Days	Meter Reading Previous Current	Multiplier	Usage	Rate	Rate Description
Electric	Actual	12/10/21 01/13/22	34	20408 20578	1	170	117	Secondary Single Phase
Your Billing Demand Is						2.0		

Emergency Service  
877-4OUTAGE  
877-468-8243

Online Anytime  
aesohio.com

AES Ohio Customer Service  
800-253-5801

Please detach and return only this portion with your check made payable to AES Ohio

BL-CD050-BILL-PRINT PRD-1049-000018303



aesohio.com

Account Number

8965271235

PROMPT AMOUNT	pay by 02/08/2022	\$32.94
LATE AMOUNT	pay after 02/08/2022	\$33.43

Amount Enclosed \$ \_\_\_\_\_

000525 000018303



MARK MISHLER  
16 CORN HILL RD  
MORRIS TOWNSHIP NJ 07960



AES OHIO  
PO BOX 740598  
CINCINNATI, OH 45274-0598

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