

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE COMPLAINT OF  
THE FURNACE MAN HEATING &  
COOLING LLC,**

**CASE NO. 21-966-EL-CSS**

**COMPLAINANT,**

**v.**

**THE DAYTON POWER AND LIGHT  
COMPANY, DBA AES OHIO,**

**RESPONDENT.**

**ENTRY**

Entered in the Journal on March 24, 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} The Dayton Power and Light Company, d/b/a AES Ohio (AES) is a public utility as defined in R.C. 4905.02. Accordingly, AES is subject to the Commission's jurisdiction.

{¶ 3} On September 20, 2021, The Furnace Man Heating & Cooling LLC (Complainant) initiated a complaint against AES regarding alleged damages caused by a contractor hired by AES to replace cables in the back of a building controlled by the Complainant.

{¶ 4} Pursuant to Ohio Adm.Code 4901-9-01(B), a copy of the complaint was mailed to AES on September 20, 2021, directing AES to file its answer and any responsive pleading within 20 days after September 20, 2021.

{¶ 5} On January 10, 2022, by Entry, the attorney examiner ordered AES to file a responsive pleading by January 31, 2022.

{¶ 6} On January 31, 2022, AES filed its answer, a motion to dismiss, and a request for mediation. In its answer, AES denies or states it is without sufficient knowledge to ascertain the veracity of the allegations in the complaint. AES also asserts several affirmative defenses. Finally, AES requests that if the Commission denies the motion to dismiss, it would request an opportunity to mediate the issue with the Complainant.

{¶ 7} At this time, the attorney examiner finds this matter should be scheduled for a settlement conference. The conference shall occur telephonically on April 7, 2022, at 10:30 a.m. The parties shall dial 1-614-721-2972 and enter conference code 829 063 218# when prompted.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a settlement conference be scheduled in accordance with Paragraph 7. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jesse M. Davis

By: Jesse M. Davis  
Attorney Examiner

SJP/mef

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

**Case No(s). 21-0966-EL-CSS**

Summary: Attorney Examiner Entry scheduling a settlement teleconference on April 7, 2022, at 10:30 a.m. electronically filed by Ms. Mary E. Fischer on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio