

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
ANTONIO MUNOZ,**

CASE NO. 22-22-WT-CSS

COMPLAINANT,

v.

**KELLEYS ISLAND FERRY BOAT LINES,
INC.,**

RESPONDENT.

ENTRY

Entered in the Journal on June 7, 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} On January 5, 2022, Antonio Munoz (Complainant) initiated a complaint against Kelleys Island Ferry Boat Lines, Inc. (Kelleys Ferry) alleging that the billing rate is unfair and too high. In making this assertion, Complainant compares the costs of Kelleys Ferry to another ferry service operator and notes that the costs are higher. Complainant also states that he recently transported two pieces of a modular home with Kelleys Ferry.

{¶ 3} On January 26, 2022, Kelleys Ferry filed an answer to the complaint. Kelleys Ferry denies any violation of tariff rates and generally denies the remaining allegations. Kelleys Ferry also asserts several affirmative defenses.

{¶ 4} Consistent with the Commission's longstanding policy to encourage settlement discussions in complaint proceedings before it, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this

complaint. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 5} Accordingly, a telephone settlement conference shall be scheduled for July 12, 2022, at 10:00 a.m. ET. At the designated time of the conference, the parties shall dial 614-721-2972 and enter access code 745 860 030# to join in the mediation event. If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues including potential hearing dates.

{¶ 6} Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of Kelleys Ferry shall investigate the issues raised in the complaint prior to the settlement conference. All parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, the parties shall bring with them relevant documents that are necessary to cultivate an understanding of the issues raised in the complaint and to facilitate settlement negotiations.

{¶ 7} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a settlement conference be scheduled for July 12, 2022, as provided in Paragraph 5. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jacky Werman St. John

By: Jacky Werman St. John
Attorney Examiner

GAP/mef

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

Case No(s). 22-0022-WT-CSS

Summary: Attorney Examiner Entry scheduling a prehearing teleconference for July 12, 2022 at 10:00 a.m. electronically filed by Ms. Mary E. Fischer on behalf of Jacky Werman St. John, Attorney Examiner, Public Utilities Commission of Ohio