

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
DENNIS WICKERT,**

COMPLAINANT,

CASE NO. 21-555-WS-CSS

v.

AQUA OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on June 29, 2022

I. SUMMARY

{¶ 1} The Commission grants the request to dismiss the complaint, with prejudice, filed by Aqua Ohio, Inc.

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} Aqua Ohio, Inc. (Aqua, or Respondent) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On May 7, 2021, Dennis Wickert (Complainant) filed a complaint against Aqua. The complaint appears to involve a dispute concerning whether Respondent has met its obligations under an agreement which Complainant alleges to exist between the parties.

{¶ 5} On May 27, 2021, Aqua filed its answer, contending that the complaint has been satisfied and the matter settled. In its answer, Aqua requests that the Commission issue an order dismissing the complaint with prejudice. Moreover, Aqua's answer included

appropriate language, required under Ohio Adm.Code 4901-9-01(F), providing Complainant notice that he had 20 days from the date of the answer to file a written response agreeing or disagreeing with Aqua's assertion of settlement; and indicating that if no such response is timely filed, the Commission may presume that satisfaction has occurred and dismiss the complaint.

{¶ 6} Complainant did not file a response by June 16, 2021, regarding Aqua's assertion that the matter has been settled. Accordingly, the complaint shall be dismissed with prejudice.

III. ORDER

{¶ 7} It is, therefore,

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

{¶ 9} 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

DEF/hac

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in

Case No(s). 21-0555-WS-CSS

Summary: Entry granting the request to dismiss the complaint, with prejudice, filed by Aqua Ohio, Inc. electronically filed by Heather A. Chilcote on behalf of Public Utilities Commission of Ohio