

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF  
MARILYN RANSBY,

COMPLAINANT,

CASE NO. 18-1518-EL-CSS

v.

THE DAYTON POWER AND LIGHT  
COMPANY D/B/A AES OHIO

RESPONDENT.

## ENTRY

Entered in the Journal on June 29, 2022

### I. SUMMARY

{¶ 1} As the dispute giving rise to this case appears to be resolved between the involved parties, the Commission dismisses this complaint. Nevertheless, given Respondent's admission that no written settlement agreement between the parties has been executed, considered together with Complainant's failure to, as directed, report on the final status of settlement discussions, the Commission dismisses this case without prejudice.

### II. DISCUSSION

{¶ 2} Pursuant to R.C. 4905.26, the Commission has authority to consider a written complaint filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice affecting or relating to any service furnished by that public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 3} Respondent, The Dayton Power and Light Company d/b/a AES Ohio (AES Ohio, or the Company), is a public utility as defined in R.C. 4905.02, and is, therefore, subject to the Commission's jurisdiction.

{¶ 4} On October 5, 2018, Marilyn Ransby (Ms. Ransby or Complainant) filed a complaint against AES Ohio alleging that the Company unreasonably terminated electric

services at a rental property she owns, located at 850 Catalpa Drive, Dayton, Ohio 45402 (the Property). Complainant brought her complaint seeking to have electrical service to the Property restored.

{¶ 5} On October 25, 2018, the Company filed its answer, in which it admits some, and denies others of the complaint's allegations and sets forth several affirmative defenses.

{¶ 6} A prehearing settlement conference was scheduled for, and held, in this case on December 20, 2018.

{¶ 7} By Entry issued January 7, 2022, the parties were directed to file with the Commission, by January 27, 2022, a letter regarding the status of this proceeding, specifically indicating whether settlement negotiations are still ongoing.

{¶ 8} Complainant has not filed anything which responds to the directives of the January 7, 2022, Entry. Respondent, on the other hand, on January 27, 2022, timely filed a letter reporting on the status of this case. In its status update letter, AES Ohio reports that, on January 18, 2021, Ms. Ransby paid on her account with AES Ohio, the amount that was outstanding as of time that she filed her complaint on October 5, 2018. Further, AES Ohio indicates that, to its knowledge, any dispute with Ms. Ransby has been resolved, although a written settlement agreement has not been executed.

{¶ 9} Under the circumstances of record, the Commission finds it appropriate to dismiss this complaint without prejudice. As a practical matter, dismissal without prejudice means that Ms. Ransby could, in the future, if she chooses to do so, file with the Commission a complaint against AES Ohio based on the same allegations as were raised in this case now being dismissed.

### III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That in accordance with the above findings, this complaint case be dismissed without prejudice, and Case No. 18-1518-EL-CSS be closed of record. 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

DEF/hac

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**Case No(s). 18-1518-EL-CSS**

Summary: Entry dismissing this case without prejudice electronically filed by  
Heather A. Chilcote on behalf of Public Utilities Commission of Ohio