

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

S&R TRADING LLC,)	
)	
Complainant,)	
)	
vs.)	CASE NO. 22-0689-EL-CSS
)	
THE TOLEDO EDISON COMPANY,)	
)	
Respondent.)	

ANSWER OF THE TOLEDO EDISON COMPANY

Respondent The Toledo Edison Company (“Toledo Edison”) is a public utility company as defined by Section 4905.03(C) of the Ohio Revised Code and is duly organized and existing under the laws of the State of Ohio. In accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, Toledo Edison for its answer to the Complaint of S&R Trading LLC (“Complainant”) states as follows:

1. In response to the top half of the cover page of the Complaint, Toledo Edison admits that Complainant is a customer and that it receives electric service at the service address listed and pursuant to the account number provided. To the extent any further allegations are intended on the top half of the cover page, Toledo Edison is without knowledge or information sufficient to form a belief as to the truth of the allegation(s) and therefore denies them.

2. Regarding the allegations contained in the first sentence of the Complaint, Toledo Edison is without knowledge regarding the composition of the service address and use of electricity therein, and therefore denies the same.

3. Regarding the allegations contained in the second sentence of the Complaint, Toledo Edison is without knowledge regarding Complainant’s use of electricity, and therefore denies the same.

4. Regarding the allegations contained in the third sentence of the Complaint, Toledo Edison admits that Complainant's monthly bill typically exceeds \$130.00, but lacks knowledge regarding Complainant's use of electricity, and therefore denies the same.

5. Regarding the allegations contained in the fourth sentence of the Complaint, Toledo Edison is without knowledge regarding Complainant's use of electricity, and therefore denies the same.

6. Regarding the allegations contained in the fifth sentence of the Complaint, Toledo Edison admits that Complainant takes service under the General Service Secondary schedule and that Toledo Edison charges Complainant pursuant to its Commission-approved tariff. Toledo Edison denies that it is unfairly charging Complainant. Toledo Edison lacks knowledge regarding Complainant's use of the service address, and therefore denies the same.

7. Regarding the allegations contained in the sixth sentence of the Complaint, Toledo Edison denies the characterization of Complainant's conversation with a Toledo Edison representative but admits that Toledo Edison is charging Complainant pursuant to its Commission-approved tariff.

8. Regarding the allegations contained in the seventh sentence of the Complaint, Toledo Edison lacks knowledge regarding the other account referenced or the layout or occupancy of any such residence, and therefore denies the same. By way of further answer, Toledo Edison avers that Rate GS is charged differently than Rate RS, and therefore any comparison between to two rate schedules is inappropriate.

9. Regarding Complainant's request for relief, Toledo Edison denies that Complainant is entitled to the relief requested, or any relief whatsoever. Toledo Edison denies that it is charging Complainant improperly.

10. Regarding the attachments to the Complaint, Toledo Edison admits that the exhibits appear to be incomplete copies of Complainant's bills.

To the extent Toledo Edison does not respond to a specific allegation, Toledo Edison denies any such allegation. Toledo Edison reserves the right to supplement or amend this Answer.

AFFIRMATIVE DEFENSES

- 1. The Complaint fails to set forth reasonable grounds for its Complaint, as required by Section 4905.26, Revised Code.**
- 2. The Complaint fails to state reasonable grounds for the complaint.**
- 3. Toledo Edison at all times complied with the Ohio Revised Code Title 49; the applicable rules, regulations, and orders of the Public Utilities Commission of Ohio; and its Tariff, PUCO No. 8, on file with the PUCO. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.**
- 4. The relief sought in the Complaint would violate Toledo Edison's Commission-approved tariff.**
- 5. Pursuant to Ohio Adm.Code 4901-1-08(A), Complainant must be represented by an attorney-at-law.**
- 6. Toledo Edison reserves the right to raise other defenses as warranted by discovery in this matter.**

WHEREFORE, Toledo Edison respectfully requests an Order dismissing the Complaint and granting Toledo Edison all other relief deemed necessary and proper.

Respectfully submitted,

/s/ Christopher A. Rogers

Christopher A. Rogers (100781)

Counsel of Record

BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP

200 Public Square, Suite 2300

Cleveland, Ohio 44114-2378

Telephone: 216-363-4500

Facsimile: 216-363-4588

Email: crogers@beneschlaw.com

Counsel for The Toledo Edison Company

*Willing to accept service by email

Kristen M. Fling (0099678)
FirstEnergy Service Company
76 South Main St.
Akron, OH 44308
Telephone: 330-606-8087
Email: kfling@firstenergycorp.com
Attorney for The Toledo Edison Company

CERTIFICATE OF SERVICE

On July 27, 2022, the foregoing document was filed on the Public Utilities Commission of Ohio's Docketing Information System. The PUCO's e-filing system will electronically serve notice of the filing of this document on all parties of record in this proceeding. A service copy has been sent by U.S. Mail on this 27th day of July, 2022 to the Complainant at the following address:

S&R Trading LLC
c/o Sam Lama
P.O. Box 422
Maumee, OH 43537

/s/ Christopher A. Rogers
Attorney for The Toledo Edison Company

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

7/27/2022 9:52:34 AM

in

Case No(s). 22-0689-EL-CSS

Summary: Answer ANSWER OF THE TOLEDO EDISON COMPANY electronically
filed by Mr. Christopher Rogers on behalf of The Toledo Edison Company