

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF
TECUMSEH LANDING LLC,

COMPLAINANT,

CASE NO. 22-201-EL-CSS

V.

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

RESPONDENT.

ENTRY

Entered in the Journal on August 24, 2022

I. SUMMARY

{¶ 1} The Commission grants the joint motion to dismiss the complaint, with prejudice, as all matters appear to have been resolved by the parties.

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} The Dayton Power and Light Company d/b/a AES Ohio (AES) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On March 15, 2022, Tecumseh Landing LLC (Tecumseh or Complainant) filed a complaint against AES. Complainant explains that it became an AES customer in April 2021 and has always paid its monthly charges promptly, yet AES alleged that Complainant owes a seven-year-old \$509.99 “miscellaneous services” charge. Complainant asserts that it paid that charge to avoid a shutoff of power that would have caused damage to its business. Complainant requests that the Commission find that the disputed charge is not valid and

require AES to refund the \$509.99 that was paid. Complainant contends that AES has not provided evidence that the “miscellaneous” charges are valid and that, consequently, AES’s service is inadequate. Finally, Complainant requests AES’s audited records from January 2015-2022 concerning billing errors and customer invoice credits and allowances.

{¶ 5} AES filed its answer and request to dismiss on April 4, 2022. AES admits that Tecumseh is a customer and that, upon applying for service in April 2021, Tecumseh was charged \$509.99. AES claims that the disputed amount reflects an unpaid balance owed by Complainant on an account associated with the same address. AES requests dismissal of the Complaint.

{¶ 6} The parties participated in a settlement conference on June 8, 2022.

{¶ 7} On August 5, 2022, the parties filed a joint motion to dismiss, stating that all matters in the case have been resolved. The parties request dismissal of the complaint with prejudice.

{¶ 8} The Commission finds the joint motion to dismiss to be reasonable. Accordingly, the complaint shall be dismissed with prejudice.

III. ORDER

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the joint motion to dismiss, with prejudice, be granted. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon Respondent and all other interested parties of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

JML/hac

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Case No(s). 22-0201-EL-CSS

Summary: Entry granting the joint motion to dismiss the complaint, with prejudice,
as all matters appear to have been resolved by the parties electronically filed by
Heather A. Chilcote on behalf of Public Utilities Commission of Ohio