

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF DOMINIQUE
TAPPLAR,**

COMPLAINANT,

CASE NO. 22-291-EL-CSS

V.

DUKE ENERGY OHIO, INC.

RESPONDENT.

ENTRY

Entered in the Journal on October 5, 2022

I. SUMMARY

{¶ 1} The Commission grants the joint motion to dismiss the complaint, with prejudice, at the request of 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} Duke Energy Ohio, Inc. (Duke) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On April 1, 2022, Dominique Tapplar (Mr. Tapplar or Complainant) filed a complaint against Duke, alleging incorrect bills in November 2021 and December 2021. Complainant contends that his November 4, 2021 and December 7, 2021 bills contained an indicated “dramatic increase” in kWh usage. In addition, he states, Duke informed him that he was charged a \$30 fee because he opted out of smart meter installation; however, Complainant asserts that he had not “opted out of anything.” Mr. Tapplar states that his

attorney has contacted Duke requesting a waiver of the opt-out fee and that all collections cease, allowing Complainant to be placed on a payment plan until a correct meter reading can be obtained.

{¶ 5} Duke filed its answer on April 21, 2022. Duke agrees with the billing dates and kWh usage stated by Complainant as indicated on his bills. Duke admits that it initially charged Complainant an opt-out fee but adds that the fee was ultimately waived after Complainant arranged for a smart meter installation. Duke denies any other allegations by Complainant.

{¶ 6} Complainant replied to Duke's answer on May 12, 2022, by re-emphasizing remarks from his complaint. In addition, Mr. Tapplar asserts that, following the installation of a new meter, his kWh usage is "close to * * * [his] normal monthly usage * * * for {past] years."

{¶ 7} The parties participated in a June 3, 2022, settlement conference and continued discussions afterwards.

{¶ 8} On September 1, 2022, the parties filed a joint motion to dismiss the complaint, with prejudice. In the motion, the parties state that all issues raised in the complaint have been resolved.

{¶ 9} The Commission finds reasonable the joint motion to dismiss, with prejudice. Accordingly, the joint motion shall be granted, with prejudice.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the joint motion to dismiss the complaint, with prejudice, be granted. 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

JML/mef

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10/5/2022 2:53:54 PM

in

Case No(s). 22-0291-EL-CSS

Summary: Entry granting the joint motion to dismiss the complaint, with prejudice,
at the request of the parties electronically filed by Ms. Mary E. Fischer on behalf of
Public Utilities Commission of Ohio