

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
DONALD HOUSER,**

COMPLAINANT,

CASE NO. 22-894-EL-CSS

v.

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

RESPONDENT.

ENTRY

Entered in the Journal November 3, 2022

{¶ 1} 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.

{¶ 2} Respondent, The Dayton Power and Light Company d/b/a AES Ohio (AES Ohio) is an electric light company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02. As such, AES Ohio is subject to the jurisdiction of this Commission.

{¶ 3} On September 21, 2022, Donald Houser (Complainant) filed a complaint against AES Ohio, alleging that he has been overbilled on his electric service account with AES Ohio. The complaint alleges that, prior to receiving a bill for \$500, his monthly electric service bills usually ranged between \$60 to \$75. Complainant lives alone, claims his service usage is limited, and cannot understand why he has received such a high bill.

{¶ 4} On October 7, 2022, AES Ohio filed its answer in which identifies Complainant's electric service account number, but otherwise, denies the allegations of the complaint and sets forth several affirmative defenses.

{¶ 5} At this time, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible to prove liability or invalidity of a claim. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement teleconference.

{¶ 6} Accordingly, a settlement conference call shall be scheduled for December 6, 2022, at 10:00 a.m. To participate in the teleconference, the parties shall dial (614) 721-2972 and, when prompted, enter conference code 501 015 67#.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-26(F) the representatives of AES Ohio shall investigate the issues raised in the complaint prior to the settlement teleconference, and all parties participating the teleconference shall be prepared to discuss settlement of the issues raised and shall have authority to settle those issues.

{¶ 8} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.* 5 Ohio St.2d 189, 214 N. E. 2d 666 (1966).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a settlement teleconference be scheduled for December 6, 2022, at 10:00 a.m., as indicated in Paragraph 6. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

MLW/mef

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

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in

Case No(s). 22-0894-EL-CSS

Summary: Attorney Examiner Entry scheduling a settlement teleconference for December 6, 2022, at 10:00 a.m. electronically filed by Ms. Mary E. Fischer on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio