

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
MARIO D. BLUE,**

COMPLAINANT,

CASE NO. 22-855-GA-CSS

v.

**THE EAST OHIO GAS COMPANY D/B/A
DOMINION ENERGY OHIO,**

RESPONDENT.

ENTRY

Entered in the Journal on December 2, 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} The East Ohio Gas Company, Inc. d/b/a Dominion Energy Ohio (DEO) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02. As such, DEO is subject to the jurisdiction of this Commission.

{¶ 3} On September 8, 2022, Mario D. Blue (Complainant) filed a complaint alleging that DEO has, in a discriminatory manner, violated Complainant's claimed right as a consumer, under both federal and state law, to defer payment of a debt. In bringing his complaint, Complainant demands that DEO must be made to recognize such violation of law and, consequently, restore his natural gas service.

{¶ 4} On September 28, 2022, DEO filed its answer, in which it acknowledges that Complainant is DEO's residential natural gas service customer, sets forth its own allegations of fact, and sets forth several affirmative defenses. In its answer, DEO specifically denies that it disconnected Complainant's natural gas service in a manner prohibited by any

applicable statute, rule, or tariff provision, and also denies that it is required to defer payment for natural gas services as alleged by Complainant.

{¶ 5} By Entry issued November 15, 2022, an in-person settlement conference in this case was scheduled to commence on December 19, 2022, at 1:00 p.m. On November 28, 2022, Complainant contacted the attorney examiner, requesting that the scheduled in-person settlement conference be converted to a telephonic settlement conference. Under circumstances specifically presented in this case, the attorney examiner finds it appropriate to grant this request.

{¶ 6} Accordingly, a telephonic settlement conference shall be scheduled for December 19, 2022, at 1:00 p.m. To participate in the teleconference, the parties should dial (614) 721-2972 and, when prompted, enter 863 614 691#.

{¶ 7} 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 conference.

{¶ 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 19, 2022, at 1:00 p.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

MJA/dmh

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

12/2/2022 9:24:21 AM

in

Case No(s). 22-0855-GA-CSS

Summary: Attorney Examiner Entry that the settlement conference be converted to a telephonic conference scheduled for December 19, 2022, at 1:00 p.m., to participate in the teleconference, the parties should dial (614) 721-2972 and. when prompted, enter 863 614 691# electronically filed by Ms. Donielle M. Hunter on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio