

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
CHRISTEN PRICE,**

COMPLAINANT,

CASE NO. 22-893-EL-CSS

v.

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

RESPONDENT.

ENTRY

Entered in the Journal on December 15, 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 Cleveland Electric Illuminating Company (CEI or Respondent) is a public utility as defined in R.C. 4905.02 and 4905.03(C). Accordingly, Respondent is subject to the Commission's jurisdiction.

{¶ 3} On September 21, 2022, Christen Price (Complainant) initiated a complaint against CEI. Complainant alleges that her July 19, 2022 statement from CEI showed a significantly higher balance than Complaint had ever previously received. Complainant states that she contacted CEI and was told that the increase was a result of no "actual" meter reading having been done on her property since February 12, 2021. According to Complainant, she was told that this was because CEI could not access the electric meter at her residence because of Complainant's dogs. Complaint disputes that her dogs would affect the company's ability to take a meter reading, as she states that her dogs do not stay outside unless supervised. Complainant believes, essentially, that no meter readings were

ever attempted and that the \$1,055.28 balance owed to CEI, as well as a \$761.60 balance allegedly owed to her gas supplier, are improper.

{¶ 4} Pursuant to Ohio Adm.Code 4901-9-01(B), a copy of the complaint was mailed to Respondent on September 21, 2022, directing Respondent to file its answer and any other responsive pleading within 20 days after September 21, 2022.

{¶ 5} Respondent filed its answer on October 11, 2022. In its answer, Respondent admits that Complainant is its customer and that the bill it sent to Complainant in July 2022 was higher than previous bills. CEI admits that it informed Complainant that the company could not access her meter due to dogs on the property and that, as a result, her bill had been estimated since February 2021. With respect to the remaining allegations in the complaint, Respondent generally denies them or states that it is without sufficient knowledge to form a belief as to the truth of the allegations and, therefore, denies them. Respondent also outlines a number of affirmative defenses in its answer.

{¶ 6} 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 of this complaint in lieu of an evidentiary hearing. In accordance with Ohio Adm.Code 4901-1-26, any statement 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 either party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 7} Accordingly, a settlement conference shall be scheduled for February 7, 2023, at 11:00 a.m., at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. Visitors should register at the lobby desk and then proceed to the 11th floor in order to participate in the settlement conference.

{¶ 8} If a settlement is not reached at the conference, the attorney examiner may conduct a discussion of procedural issues. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

{¶ 9} Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of Respondent shall investigate the issues raised in the complaint prior to the settlement conference. All parties attending the settlement conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues.

{¶ 10} As is the case in all Commission complaint cases, 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).

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That a settlement conference be scheduled for February 7, 2023, at the offices of the Commission, in accordance with Paragraph 7. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/David M. Hicks

By: David M. Hicks
Attorney Examiner

MLW/dmh

**This foregoing document was electronically filed with the Public Utilities
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in

Case No(s). 22-0893-EL-CSS

Summary: Attorney Examiner Entry that a settlement conference shall be scheduled for February 7, 2023, at 11:00 a.m., at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215 electronically filed by Ms. Donielle M. Hunter on behalf of David M. Hicks, Attorney Examiner, Public Utilities Commission of Ohio