

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
AMY MINEHART,**

COMPLAINANT,

CASE NO. 21-1189-TR-CSS

v.

HELP! MOVERS,

RESPONDENT.

ENTRY

Entered in the Journal on January 19, 2023

{¶ 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} On November 19, 2021, Amy Minehart (Complainant) initiated a complaint against Help! Movers (Respondent) alleging that Respondent damaged property when it was hired by Complainant to move her mother's belongings from an assisted living facility to a storage unit. Complainant states that she communicated with "Gary" from the company, communicating via cell phone and without any physical contact. Complainant explains that on January 7, 2021, Respondent packed her mother's belongings and transported them to the storage unit. When Complainant subsequently inspected the boxed items at the storage unit, she discovered several damaged items, in particular an end table and a collectible figurine. Complainant states that when she discussed the damages with Respondent and provided a cost estimate as to the damage and value of those two items, the parties were unable to reach a resolution.

{¶ 3} Pursuant to Ohio Adm.Code 4901-9-01(B), a copy of the complaint was mailed on November 23, 2021, to the address provided by Complainant in the complaint. This mailing directed Respondent to file its answer and any other responsive pleading within 20

days after November 23, 2021. No responsive pleading was filed within 20 days after November 23, 2021.

{¶ 4} By Entry issued January 28, 2022, the attorney examiner directed the Respondent to file its answer and any other responsive pleading in this matter by no later than February 17, 2022. This Entry was also mailed to the address of Respondent provided in the complaint. No responsive pleading was filed by February 17, 2022, as directed in this Entry.

{¶ 5} In response to the continuing inability to successfully serve Respondent in the case, at some point around September 2022, staff in the Commission's docketing division attempted to contact a representative of Respondent to verify the proper service address for Respondent. These efforts were unsuccessful.

{¶ 6} By Entry issued September 28, 2022, the attorney examiner scheduled a telephone status conference for October 11, 2022. Only the Complainant participated in the status conference. During the call, the Complainant explained to the attorney examiner that she was not certain of a proper mailing address for Respondent but provided the information that she had with respect to making contact with Respondent.

{¶ 7} Upon review of Ohio Secretary of State records, a filing for the registered trade name "Help! Movers" was filed on September 20, 2022. This filing was made by Gary A. Gilliam-Beale and identifies the nature of the business as "moving service." Additional investigation by the attorney examiner revealed a Better Business Bureau listing for Help! Movers which lists the owner of the business as Mr. Gary Gilliam-Beale, which matches the registrant's name with the Secretary of State.

{¶ 8} By Entry issued December 15, 2022, the attorney examiner (1) directed the Commission's docketing division to serve a copy of the complaint upon Respondent at the address on file with the Ohio Secretary of State, and (2) directed Respondent to file its answer and any other responsive pleading in this matter by no later than January 4, 2023.

The Commission's docketing division served a copy of the complaint as directed in the Entry.

{¶ 9} As of the date of this Entry, Respondent has filed no answer or responsive pleading.

{¶ 10} At this time, the attorney examiner finds that this matter should be set for hearing. Accordingly, an evidentiary hearing shall commence on March 29, 2023, at 10:00 a.m. The hearing shall take place at the offices of the Commission, Hearing Room 11-D, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215. The parties should register at the lobby desk and then proceed to the 11th Floor in order to participate in the hearing.

{¶ 11} 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).

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That an evidentiary hearing be scheduled for March 29, 2023, in accordance with Paragraph 10. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/David M. Hicks

By: David M. Hicks
Attorney Examiner

MLW/dmh

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in

Case No(s). 21-1189-TR-CSS

Summary: Attorney Examiner Entry that this matter should be set for hearing. Accordingly, an evidentiary hearing shall commence on March 29, 2023, at 10:00 a.m. The hearing shall take place at the offices of the Commission, Hearing Room 11-D, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215 electronically filed by Ms. Donielle M. Hunter on behalf of David M. Hicks, Attorney Examiner, Public Utilities Commission of Ohio