

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
JUDITH IRVIN,**

COMPLAINANT,

v.

CASE NO. 22-571-EL-CSS

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

RESPONDENT.

ENTRY

Entered in the Journal on January 26, 2023

I. SUMMARY

{¶ 1} The Commission dismisses this case, with prejudice, as the parties have indicated they resolved all issues arising in connection to the complaint.

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} The Dayton Power and Light Company d/b/a AES Ohio (Respondent) is a public utility as defined in R.C. 4905.02. Accordingly, Respondent is subject to the Commission's jurisdiction.

{¶ 4} On June 7, 2022, Judith Irvin (Complainant) initiated a complaint against Respondent, in which she alleged, essentially, unfair billing practices for charges billed to her by Respondent during a four-month period in which her residence was unoccupied.

{¶ 5} Respondent filed its answer, motion to dismiss, and request for mediation on June 27, 2022.

{¶ 6} On September 20, 2022, the parties filed a notice of settlement and joint motion to dismiss in which both Complainant and Respondent state that they entered into a full and comprehensive settlement agreement and have resolved all issues and claims arising in connection with the complaint. The parties, therefore, request that this case be dismissed with prejudice.

{¶ 7} Upon review of the notice of settlement and joint motion to dismiss, and based upon the representation of all parties therein that the issues alleged in the complaint have been resolved, the Commission finds that the parties' joint motion to dismiss is reasonable and should be granted. Accordingly, this case should be dismissed, with prejudice, and closed of record.

III. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the parties' joint motion to dismiss be granted and this case be dismissed, with prejudice, and closed of record. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

DMH/dmh

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in

Case No(s). 22-0571-EL-CSS

Summary: Entry dismissing this case, with prejudice, as the parties have indicated they resolved all issues arising in connection to the complaint electronically filed by Heather A. Chilcote on behalf of Public Utilities Commission of Ohio