

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 January 27, 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} 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 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} By Entry issued December 15, 2022, the attorney examiner scheduled a settlement conference for February 7, 2023, to be held at the offices of the Commission.

{¶ 7} On January 24, 2023, Complainant filed correspondence in this docket in which she requests that the settlement conference scheduled for February 7, 2023, be conducted via virtual hearing technology rather than at the Commission offices. Complainant explains that she serves as sole caregiver to her mother who is very ill and cannot be left alone for extended periods of time.

{¶ 8} On January 26, 2023, Respondent filed a response to Complainant's correspondence indicating that CEI does not oppose Complainant's request that the settlement conference be held via virtual hearing technology.

{¶ 9} The attorney examiner has reviewed Complainant's request, as well as CEI's response, and finds that Complainant's request is reasonable and should be granted. The February 7, 2023 settlement conference will, therefore, be held via Teams virtual meeting

technology. An invitation to participate in the Teams conference will be emailed to each party, with instructions as to how to join the meeting via video conferencing or via phone.

{¶ 10} 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.

{¶ 11} 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.

{¶ 12} 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).

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the settlement conference scheduled for February 7, 2023, be held via Teams virtual meeting technology in accordance with Paragraph 9. It is, further,

{¶ 15} 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

MJA/dmh

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in

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

Summary: Attorney Examiner Entry that the February 7, 2023 settlement conference will, therefore, be held via Teams virtual meeting technology. An invitation to participate in the Teams conference will be emailed to each party, with instructions as to how to join the meeting via video conferencing or via phone electronically filed by Ms. Donielle M. Hunter on behalf of David M. Hicks, Attorney Examiner, Public Utilities Commission of Ohio