

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
STEVEN G. PASTOR,**

COMPLAINANT,

CASE NO. 22-981-EL-CSS

v.

**NORTHEAST OHIO PUBLIC ENERGY
COUNCIL,**

RESPONDENT.

ENTRY

Entered in the Journal on February 8, 2023

I. SUMMARY

{¶ 1} The Commission finds that this case should be dismissed because Complainant has withdrawn the complaint.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. Additionally, pursuant to R.C. 4928.16, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by a governmental aggregator subject to certification under R.C. 4928.08 of any service for which it is subject to certification.

{¶ 3} Northeast Ohio Public Energy Council (NOPEC) is certified to provide competitive retail electric service (CRES) under R.C. 4928.08 and is required to comply with the Commission's minimum CRES standards set forth in Ohio Adm.Code Chapter 4901:1-1-21. As such, NOPEC is subject to the jurisdiction of this Commission.

{¶ 4} On October 20, 2022, Steven G. Pastor (Complainant) filed a complaint against NOPEC, alleging, among other things, that NOPEC has refused to respond to Complainant's requests for an explanation of the timing of NOPEC's decision, announced in an August 24, 2022 notice filed with the Commission, to return all of NOPEC's Standard Program Price customers to the standard service offer of their respective electric service providers.

{¶ 5} On November 10, 2022, NOPEC filed its answer, in which it admits some and denies others of the allegations of the complaint and sets forth several affirmative defenses.

{¶ 6} On December 2, 2022, Complainant filed a notice of withdrawal of his complaint. The notice included a request that the case be dismissed without prejudice.

{¶ 7} The Complainant's request to withdraw the complaint and have the case dismissed, without prejudice, shall be granted. Accordingly, the Commission finds that this case should be dismissed, without prejudice, and closed of record.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That in accordance with the above findings, the complaint in this case be dismissed, without prejudice and the case closed of record. It is, further,

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

COMMISSIONERS:

Approving:

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

DEF/dmh

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in

Case No(s). 22-0981-EL-CSS

Summary: Entry that the Commission finds that this case should be dismissed because Complainant has withdrawn the complaint electronically filed by Ms. Donielle M. Hunter on behalf of Public Utilities Commission of Ohio