

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
WILLIAM R. MCKINNEY,**

COMPLAINANT,

CASE NO. 22-315-EL-CSS

v.

DUKE ENERGY OHIO, INC.,

RESPONDENT.

ENTRY

Entered in the Journal on March 15, 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} Duke Energy Ohio, Inc. (Duke or Respondent) is a public utility as defined in R.C. 4905.02. As such, Duke is subject to the Commission's jurisdiction.

{¶ 3} On April 4, 2022, William R. McKinney (Mr. McKinney or Complainant) filed a complaint against Duke, alleging that he is being overcharged for his electric service. Complainant states that for the one-bedroom apartment he resides in, he believes he is being charged over what he should be. Mr. McKinney states that he has attempted numerous times to reach Duke to discuss his bills and has had difficulty reaching someone. The complaint states that Mr. McKinney is legally blind and that the complaint was typewritten by his Office of Veterans Affairs case worker, Mary Winchel, but that Mr. McKinney signed the formal complaint.

{¶ 4} Duke filed its answer on April 22, 2022. In its answer, Duke avers that Complainant did speak to several supervisors and contacts with Duke's Consumer Affairs department. Further, Duke states that Mr. McKinney's electric use and billing has been

steady from 2020 to around the time complained of in 2022. Duke attached to its complaint a chart showing billing history for Complainant. Duke denies that it is overcharging Complainant or in violation of its tariff. Finally, Duke admits some allegations in the complaint. Duke states that it denies or is without sufficient knowledge to ascertain the veracity of some of the allegations in the complaint and sets forth in the answer several affirmative defenses.

{¶ 5} The attorney examiner finds that this matter should be set for a settlement conference to be conducted remotely. The conference will occur on March 24, 2023, at 10:30 a.m. To participate in the telephonic settlement conference, the parties shall dial 1-614-721-2972, entering 508 484 828# when prompted.

{¶ 6} Pursuant to Ohio Adm.Code 4901-1-26(F), the representatives of the public utility shall investigate the issues raised in the complaint prior to the settlement conference, and all parties attending the conference shall be prepared to discuss settlement of the issues raised and shall have the requisite authority to settle those issues. In addition, parties attending the settlement conference should bring with them all documents relevant to this matter.

{¶ 7} 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).

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a settlement conference be scheduled for March 24, 2023, at 10:30 a.m., as stated in Paragraph 5. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jesse M. Davis

By: Jesse M. Davis
Attorney Examiner

NJW/dr

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

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in

Case No(s). 22-0315-EL-CSS

Summary: Attorney Examiner Entry scheduling a telephonic settlement conference for March 24, 2023, at 10:30 am, as stated in Paragraph 5 electronically filed by Debbie S. Ryan on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio.