

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF
BISHOP QUEEN,

COMPLAINANT,

v.

CASE NO. 23-193-GA-CSS

THE EAST OHIO GAS COMPANY DBA
DOMINION ENERGY OHIO,

RESPONDENT.

ENTRY

Entered in the Journal on April 17, 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 East Ohio Gas Company dba Dominion Energy Ohio (DEO) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02. Accordingly, DEO is subject to the Commission's jurisdiction.

{¶ 3} On March 10, 2023, Bishop Queen (Complainant) initiated a complaint against DEO alleging that DEO's billing of Complainant's two properties is inaccurate and excessive, as the properties are vacant and the heat is set at the bare minimum to keep the pipes from freezing.

{¶ 4} On April 3, 2023, DEO filed its answer to the complaint admitting that Complainant is a DEO customer. DEO states that Complainant's accounts were served first under DEO's General Sales Service – Nonresidential Rate and were then assigned to DTE Energy Supply as a supplier at the Monthly Retail Rate. DEO further states it notified Complainant of this change. DEO states that a company technician completed an on-site

investigation of the accounts in February 2023 and did not find any issues that would have impacted the meter readings. DEO avers that a company technician completed a second on-site investigation in March 2023, at which time the technician tested interior pipelines at each location and did not identify any leaks but did observe several heaters in operation. DEO states that, when Complainant requested meter testing, DEO advised Complainant that a \$270 fee would be charged if the meters test as accurate. DEO also denies the other allegations in the complaint and asserts several affirmative defenses.

{¶ 5} Consistent with the Commission's longstanding policy to encourage settlement discussions in complaint proceedings before it, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the settlement conference will be to explore the parties' willingness to negotiate a resolution of this complaint. An attorney examiner from the Commission's legal department will facilitate the settlement process. However, nothing prohibits either party from initiating settlement negotiations prior to the scheduled settlement conference.

{¶ 6} Accordingly, a settlement conference shall be scheduled for May 23, 2023, at 10:00 a.m. at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. Visitors should register at the building lobby desk and then proceed to the 11th floor to participate in, or attend, the settlement conference. The attorney examiner will meet the parties on the 11th floor and escort them to the appropriate conference room.

{¶ 7} 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. All parties participating in the conference shall be prepared to discuss settlement of the issues raised and shall have authority to settle those issues. In addition, the parties shall bring with them relevant documents that are necessary to cultivate an understanding of the issues raised in the complaint and to facilitate settlement negotiations.

{¶ 8} As is the case in all Commission complaint proceedings, 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).

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the settlement conference be scheduled for May 23, 2023, at 10:00 a.m., as indicated in Paragraph 6. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Clint White

By: Clint White
Attorney Examiner

MJA/dr

**This foregoing document was electronically filed with the Public Utilities
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in

Case No(s). 23-0193-GA-CSS

Summary: Attorney Examiner Entry ordering that a settlement conference be scheduled for May 23, 2023, at 10:00 a.m. at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215 electronically filed by Debbie S. Ryan on behalf of Clint R. White, Attorney Examiner, Public Utilities Commission.