

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
FREDERICK AND DANIELLE SALLEE,**

COMPLAINANTS,

CASE NO. 21-926-EL-CSS

v.

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

RESPONDENT.

ENTRY

Entered in the Journal on April 19, 2023

I. SUMMARY

{¶ 1} The Commission dismisses this case, with prejudice, as the parties have indicated they resolved all issues raised in 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 & 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 September 9, 2021, Frederick and Danielle Sallee (Complainants) initiated a complaint against Respondent. Complainants allege that, after purchasing a new home, the Complainants attempted to terminate electric service with Respondent at their old home, and that the process they endured to do so, as well as the resulting final bill from such

service, constitute unreasonable service and unjust and unreasonable billing services on the part of Respondent.

{¶ 5} On November 19, 2021, the attorney examiner issued an entry directing Respondent to comply with Ohio Adm.Code 4901-9-01(B) and file a responsive pleading to the complaint no later than December 9, 2021.

{¶ 6} Respondent filed its answer to the complaint on December 9, 2021. In its answer, Respondent admitted some allegations in the complaint and denied others, requested dismissal, and sought for the parties to attend mediation to resolve the matter.

{¶ 7} A telephonic settlement conference in this case was held on May 17, 2022. On September 28, 2022, Respondent filed a motion for a status conference, seeking clarification on the status of the negotiations begun in the settlement conference, having not further negotiated with Complainants.

{¶ 8} On October 7, 2022, the parties filed a notice of settlement and joint motion to dismiss in which both Complainants and Respondent state that they have resolved all issues and claims raised in the complaint. The parties, therefore, request that this case be dismissed with prejudice.

{¶ 9} 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. Further, considering the notice of settlement, Respondent's motion for a status conference is denied as moot. Accordingly, this case should be dismissed, with prejudice, and closed of record.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, that Respondent's motion for a status conference be denied as moot. It is, further,

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

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

COMMISSIONERS:

Approving:

Jenifer French, Chair
Daniel R. Conway
Lawrence K. Friedeman
Dennis P. Deters
John D. Williams

CRW/dr

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in

Case No(s). 21-0926-EL-CSS

Summary: Entry dismissing this case, with prejudice, as the parties have indicated they resolved all issues raised in the complaint electronically filed by Debbie S. Ryan on behalf of Public Utilities Commission of Ohio.