

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Robert Busek/Digital One	)	
	)	
Complainant,	)	
	)	Case No. 23-0540-EL-CSS
v.	)	
	)	
The Cleveland Electric Illuminating	)	
Company	)	
	)	
Respondent.	)	

**ANSWER OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

The Cleveland Electric Illuminating Company (“CEI”) is a public utility company as defined by §4905.03(C) of the Ohio Revised Code and is duly organized and existing under the laws of the State of Ohio. In accordance with Rule 4901-9-01(D) of the Ohio Administrative Code, CEI for its answer to the Complaint of Robert Busek/Digital One (the “Complainant”) states:

Complainant’s Complaint consists of three unnumbered sheets, the third of which contains four unnumbered paragraphs in letter format. To the extent CEI does not respond to a specific allegation, CEI denies any such allegation. CEI reserves the right to supplement or amend this Answer.

1. CEI admits the allegations in unnumbered paragraph 1 of the Complaint.
2. CEI states that Rule 4901:1-10-22 of the Ohio Administrative Code speaks for itself and otherwise denies the allegations in unnumbered paragraph 2 of the Complaint.
3. CEI lacks knowledge or information sufficient to respond to the allegations in unnumbered paragraph 3 of the Complaint and therefore denies the same.
4. Unnumbered paragraph 4 is a request for relief for which no response is required. To the extent a response is required, denied.

**AFFIRMATIVE DEFENSES**

5. The Complaint fails to set forth reasonable grounds for Complaint, as required by Section 4905.26, Revised Code.
6. The Complaint fails to state a claim upon which relief can be granted.
7. The Commission lacks subject matter jurisdiction over some or all of Complainant's claims.
8. CEI reserves the right to raise other defenses as warranted by discovery in this matter.

WHEREFORE, CEI respectfully requests an Order dismissing the Complaint and granting CEI all other necessary and proper relief.

Respectfully submitted,

/s/ Emily V. Danford  
Emily V. Danford (0090747)  
Counsel of Record  
FirstEnergy Service Company  
76 South Main Street  
Akron, OH 44308  
(330) 384-5849  
[edanford@firstenergycorp.com](mailto:edanford@firstenergycorp.com)

*Attorney for The Cleveland Electric  
Illuminating Company*

**CERTIFICATE OF SERVICE**

On May 31, 2023, the foregoing document was filed on the Public Utilities Commission of Ohio's Docketing Information System. The PUCO's e-filing system will electronically serve notice of the filing of this document on all parties of record in this proceeding. A service copy has been sent by U.S. Mail on this 31<sup>st</sup> day of May 2023 to the Complainant at the following address:

Robert Busek/Digital One  
6960 Spinach Drive  
Mentor, OH 44060

/s/ Emily V. Danford  
*Attorney for The Cleveland Electric  
Illuminating Company*

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

**5/31/2023 2:03:06 PM**

**in**

**Case No(s). 23-0540-EL-CSS**

Summary: Answer of The Cleveland Electric Illuminating Company electronically filed by Ms. Jill R. Olbrysh Sustar on behalf of The Cleveland Electric Illuminating Company.