

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
MICHAEL S. ROOTE,**

COMPLAINANT,

v.

CASE NO. 21-11-EL-CSS

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

RESPONDENT.

ENTRY ON REHEARING

Entered in the Journal on June 14, 2023

I. SUMMARY

{¶ 1} The Commission grants the application for rehearing filed by Michael S. Roote, for the limited purpose of further consideration of the matters specified therein.

II. DISCUSSION

{¶ 2} On January 5, 2021, Michael S. Roote (Mr. Roote or Complainant) filed a complaint against The Cleveland Electric Illuminating Company (CEI) alleging that CEI provided unsafe, therefore unreasonable, and inadequate service.

{¶ 3} On January 25, 2021, CEI filed its answer to the complaint in which CEI admitted some and denied others of the complaint's allegations and set forth several affirmative defenses.

{¶ 4} On February 25, 2021, the parties participated in a settlement conference but were unable to resolve the matter.

{¶ 5} A hearing commenced on December 14, 2021, with the remainder of the hearing being held on December 20, 2021. At the hearing, Complainant testified on his own behalf and presented the testimony of his brother, Jeffrey Roote. CEI presented the

testimony of Robert Kozak, CEI's Distribution Operations Manager, and Bret Ingram, a CEI Manager of Operations Line Services.

{¶ 6} In its April 19, 2023 Opinion and Order, the Commission determined that CEI had not violated its statutory obligations to Mr. Roote and that Mr. Roote did not establish that CEI failed to provide adequate service. However, the Commission did order CEI to file several reports related to issues brought to light by Mr. Roote's complaint and to conduct an inspection of Mr. Roote's meter at a mutually agreeable time for CEI and Mr. Roote.

{¶ 7} Pursuant to R.C. 4903.10, any party to a Commission proceeding may apply for rehearing with respect to any matters determined by the Commission within 30 days after the Commission's order is journalized.

{¶ 8} On May 17, 2023, Complainant filed an application for rehearing within which he asserts several assignments of error.

{¶ 9} CEI filed a memorandum contra Complainant's application for rehearing on May 30, 2023.

{¶ 10} The Commission finds that Complainant's May 17, 2023 application for rehearing sets forth sufficient reason to warrant further consideration of the matters specified therein. Accordingly, the application should be granted for the limited purpose of further consideration of the matters specified within the application for rehearing. The Commission notes that the granting of this application for rehearing for the limited purpose outlined herein does not alter CEI's obligation to inspect Mr. Roote's meter and to file the reports required by the April 19, 2023 Opinion and Order.

III. ORDER

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That Complainant's May 17, 2023 application for rehearing be granted for the limited purpose of further consideration of the matters specified therein. It is further,

{¶ 13} ORDERED, That a copy of this Entry on Rehearing 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

MJS/dr

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in

Case No(s). 21-0011-EL-CSS

Summary: Entry on Rehearing granting the application for rehearing filed by Michael S. Roote, for the limited purpose of further consideration of the matters specified therein. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio.