

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF  
ALAN JONES,

COMPLAINANT,

v.

CASE NO. 22-16-EL-CSS

THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY,

RESPONDENT.

## ENTRY

Entered in the Journal on July 28, 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 Cleveland Electric Illuminating Company (CEI) is a public utility as defined in R.C. 4905.02. Accordingly, CEI is subject to the Commission's jurisdiction.

{¶ 3} On January 5, 2022, Alan Jones (Complainant) initiated a complaint against Respondent alleging that he was over-billed. Complainant states that for a duplex property with two electric meters, he requests the bill for either side when unoccupied be sent to him. Further, Complainant alleges that, going back possibly as far as 2016 when Respondent installed new electric meters, it has billed him incorrectly when he has transferred billing of the unoccupied half of the duplex to himself, resulting in much higher bills than he should receive for an unoccupied property.

{¶ 4} CEI filed its answer on January 25, 2022, in which it admits some allegations in the complaint, denies or is without sufficient knowledge to ascertain the veracity of some of the allegations in the complaint, and asserts several affirmative defenses.

{¶ 5} Settlement conferences were held on March 24, 2022, and June 7, 2022. The parties were unable to settle the matter.

{¶ 6} Further, by Entry issued April 17, 2023, the matter was scheduled for an evidentiary hearing on May 30, 2023.

{¶ 7} On May 8, 2023, Complainant filed a motion for a subpoena duces tecum for Kim Burney, citing Ms. Burney's personal knowledge of the facts and circumstances of this case along with possession of certain documents relevant to the matter at hand.

{¶ 8} On May 19, 2023, CEI filed a motion for continuance of the hearing scheduled to commence on May 30, 2023. In its supporting memorandum, CEI avers that it has contacted Mr. Jones about this issue, and he indicated that he opposes neither CEI's motion nor its request for expedited treatment of said motion. CEI states that the reason it requests a continuance is that the witness best qualified to testify about the issues at hand is not available to attend the hearing on May 30, 2023.

{¶ 9} By Entry on May 23, 2023, the attorney examiner rescheduled the evidentiary hearing to occur on June 28, 2023.

{¶ 10} On May 24, 2023, Complainant filed correspondence indicating his objection to the motion for continuance and the rescheduled hearing date where he will not be available at that time. Also, on May 24, 2023, CEI filed a response to Complainant, stating that it was not its intention to attempt to cause any sort of scheduling conflict.

{¶ 11} On June 5, 2023, the attorney examiner, by Entry, canceled the hearing to commence on June 28, 2023, and scheduled a prehearing conference to occur on June 15, 2023. The conference occurred as planned, during which time the parties discussed

preliminary issues, including scheduling of the hearing, which the parties agreed should occur on August 29, 2023.

{¶ 12} At this time, the attorney examiner finds that the hearing in this case should be rescheduled to occur on August 29, 2023, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That a hearing be scheduled to occur on August 29, 2023, at 10:00 a.m. in accordance with Paragraph 12. It is, further,

{¶ 15} 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  
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**in**

**Case No(s). 22-0016-EL-CSS**

Summary: Attorney Examiner Entry scheduling a hearing for August 29, 2023, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793 electronically filed by Debbie S. Ryan on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio.