

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF  
ROBERT R. MURPHY,

COMPLAINANT,

v.

CASE NO. 22-443-EL-CSS

OHIO POWER COMPANY D/B/A AEP  
OHIO,

RESPONDENT.

## ENTRY

Entered in the Journal on October 18, 2023

### I. SUMMARY

{¶ 1} The Commission dismisses this case, with prejudice, as the parties have indicated they resolved all issues arising in connection with 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} Ohio Power Company d/b/a AEP Ohio (Respondent) is a public utility as defined in R.C. 4905.02. Accordingly, Respondent is subject to the Commission's jurisdiction.

{¶ 4} On April 19, 2022, Robert R. Murphy (Complainant) initiated a complaint against AEP Ohio. The complaint related to property damages allegedly incurred in the fall of 2019 as a result of electric work on a service line located at 530 Cedar Run Road, NE,

Newark, Ohio 43055 (Property). Complainant alleged that Respondent's hired electrical contractor improperly dug and backfilled a ditch for a new underground line, resulting in water infiltration into and through the walls of structures on the Property.

{¶ 5} Respondent filed its answer to the complaint on May 9, 2022.

{¶ 6} A mediation in this case was held on July 7, 2022. The parties continued settlement discussions after the mediation and ultimately were able to reach a settlement and resolve the issues raised in the complaint.

{¶ 7} On July 19, 2023, the parties filed a notice of settlement and joint motion to dismiss in which both Complainant and Respondent state that they have, without any admission of wrongdoing by either party, resolved all issues and claims arising in connection with the complaint. The parties, therefore, request that this case be dismissed with prejudice.

{¶ 8} 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. Accordingly, this case should be dismissed, with prejudice, and closed of record.

### III. ORDER

{¶ 9} It is, therefore,

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

{¶ 11} 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

DMH/dr

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

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**in**

**Case No(s). 22-0443-EL-CSS**

Summary: Entry dismissing this case, with prejudice, as the parties have indicated they resolved all issues arising in connection with the complaint. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio.