

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT OF
BISHOP QUEEN,

COMPLAINANT,

V.

CASE NO. 23-193-GA-CSS

THE EAST OHIO GAS COMPANY D/B/A
DOMINION ENERGY OHIO,

RESPONDENT.

ENTRY

Entered in the Journal on February 7, 2024

I. SUMMARY

{¶ 1} The Commission dismisses this case, without prejudice, where the complainant has failed to prosecute the complaint.

II. DISCUSSION

{¶ 2} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility or an electric services company 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 East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02. Accordingly, DEO is subject to the Commission's jurisdiction.

{¶ 4} On March 10, 2023, Bishop Queen (Complainant) initiated a complaint against DEO alleging that DEO's billing of Complainant's two properties is inaccurate and

excessive, as the properties are vacant and the heat is set at the bare minimum to keep the pipes from freezing.

{¶ 5} On April 3, 2023, DEO filed its answer to the complaint admitting that Complainant is a DEO customer. DEO states that Complainant's accounts were served first under DEO's General Sales Service – Nonresidential Rate and were then assigned to DTE Energy Supply as a supplier at the Monthly Retail Rate. DEO further states it notified Complainant of this change. DEO states that a company technician completed an on-site investigation of the accounts in February 2023 and did not find any issues that would have impacted the meter readings. DEO avers that a company technician completed a second on-site investigation in March 2023, at which time the technician tested interior pipelines at each location and did not identify any leaks but did observe several heaters in operation. DEO states that, when Complainant requested meter testing, DEO advised Complainant that a \$270 fee would be charged if the meters test as accurate. DEO also denies the other allegations in the complaint and asserts several affirmative defenses.

{¶ 6} By Entry dated April 17, 2023, the attorney examiner scheduled a settlement conference in this case for May 23, 2023. Complainant did not appear for the settlement conference; however, the attorney examiner assigned as mediator contacted Complainant and attempted to reschedule the settlement conference.

{¶ 7} By Entry dated August 2, 2023, the attorney examiner scheduled a settlement conference for August 28, 2023. After a schedule conflict subsequently arose, the attorney examiner rescheduled the settlement conference for September 6, 2023. Again, the Complainant did not attend the settlement conference.

{¶ 8} On September 28, 2023, the attorney examiner issued an Entry directing Complainant to file a letter no later than October 19, 2023, indicating whether Complainant remained interested in prosecuting the complaint. In the Entry, the attorney examiner explained that failure to respond by the listed date may result in dismissal of the case for failure to prosecute.

{¶ 9} To date, Complainant has not filed any response.

{¶ 10} As Complainant has not expressed interest in proceeding with this complaint as directed in the September 28, 2023 Entry, the Commission finds this complaint should be dismissed, without prejudice, for failure to prosecute.

III. ORDER

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That this complaint be dismissed, without prejudice, for failure to prosecute the matter and that this case be closed of record. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon each party 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). 23-0193-GA-CSS

Summary: Entry dismissing this case, without prejudice, where the complainant has failed to prosecute the complaint electronically filed by Debbie S. Ryan on behalf of Public Utilities Commission of Ohio.