

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Dolline Murry, )  
Complainant, )  
v. ) Case No. 05-1352-EL-CSS  
The Cleveland Electric Illuminating Company, )  
Respondent. )

ENTRY

The attorney examiner finds:

- (1) On November 2, 2005, Dolline Murry (complainant) filed a complaint against the Cleveland Electric Illuminating Company (CEI), alleging that, on August 19, 2005, she experienced an electrical power surge that caused damage to all of the electrical appliances in her home.
- (2) On November 2, 2005, pursuant to Rule 4901-9-01, Ohio Administrative Code, the secretary of the Commission served a copy of the complaint on CEI and directed CEI to file an answer to the complaint with the Commission, along with any responsive motions, and to serve a copy of the answer and any motions upon the complainant.
- (3) On November 23, 2005, CEI filed an answer to the complaint, denying several of the allegations and asserting, as affirmative defenses, that it breached no legal duty to the complainant, that the complainant failed to state reasonable grounds upon which its requested relief may be granted, and that CEI has acted in accordance with its tariff and with all applicable laws, rules, and regulations.
- (4) In accordance with the Commission's goal of reducing the number of adversarial proceedings before it, the attorney examiner finds that this matter should be scheduled for a settlement conference. The purpose of the conference will be to explore the parties' willingness to negotiate a resolution of this complaint in lieu of an evidentiary hearing. An attorney examiner from the Commission's legal department will facilitate the settlement process. The parties should bring with them all documents relevant to this matter.
- (5) Accordingly, this case should be scheduled for a settlement conference on Thursday, December 15, 2005, at 10:00 a.m. at the

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offices of the Commission, Hearing Room 11-A, 180 East Broad Street, 11<sup>th</sup> Floor, Columbus, Ohio 43215. If the parties have any questions or concerns regarding this settlement conference, they may contact Janet K. Stoneking, Attorney Examiner, at 614-466-6849.

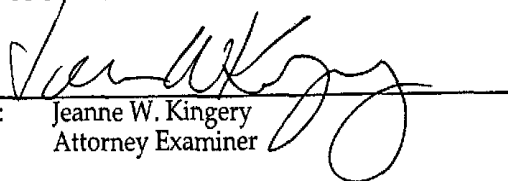
- (6) In the event that a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues at the conclusion of the settlement conference. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.
- (7) Nothing prohibits any party from initiating settlement negotiations prior to the scheduled settlement conference.

It is, therefore,

ORDERED, That a settlement conference be scheduled in accordance with finding (5). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

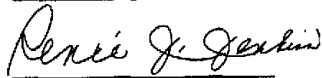
THE PUBLIC UTILITIES COMMISSION OF OHIO

By:   
Jeanne W. Kingery  
Attorney Examiner

*vrmt*  
/vrmt

Entered in the Journal

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Renee J. Jenkins  
Secretary