

BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO

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PUCO

Paul F. Shagnot

COMPLAINANT,

vs.

CASE NO. 02-1832-EL-CSS

The Cleveland Electric  
Illuminating Company

RESPONDENT.

**ANSWER AND MOTION TO DISMISS  
OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

Comes now Respondent, The Cleveland Electric Illuminating Company ("CEI"), by counsel,  
and for its Answer to the Complaint filed in the instant action says that:

1. CEI is a public utility, as defined by §4905.03(A)(4), O.R.C. and is duly organized  
and existing under the laws of the State of Ohio.

2. While the Complaint consists of five paragraphs, CEI will attempt to specifically  
answer the different allegations within each paragraph.

3. With respect to the first sentence of Paragraph 1, CEI admits that Complainant  
requested the installation of electric service to the premises located at 4253 Warner Road, Plymouth  
Twp., Ashtabula County, Ohio (the "Premises").

4. With respect to the second sentence of Paragraph 1, CEI admits that it submitted a  
quote to Complainant for the installation of electric service to the Premises and that such quote  
included a charge of \$1,200.00 for forestry work.

5. CEI denies for lack of knowledge all other allegations contained in Paragraph 1.

6. CEI denies for lack of knowledge the allegations contained in Paragraph 2.

7. CEI denies for lack of knowledge the allegations contained in Paragraph 3.

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8. CEI denies for lack of knowledge the allegations contained in Paragraph 4.

9. CEI generally denies all allegations set forth in the Complaint which were not otherwise specifically addressed hereinabove.

For its affirmative defenses, the Company further avers that:

10. CEI breached no legal duty owed to Complainant, and Complainant failed to state reasonable grounds upon which its requested relief may be granted. The Commission is without jurisdiction or authority to hear claims sounding in tort or claims for money or civil damages, and therefore does not have the authority to grant the relief sought by Complainant.

11. On June 12, 2001, CEI submitted a written offer to perform the requested installation of electric service to the Premises. Complainant accepted such offer and authorized CEI to perform the installation. The work was completed in a timely manner and electric service was successfully installed at the Premises.

12. CEI has at all times acted in accordance with its Tariff, PUCO No. 13, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.

Respectfully submitted,



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On behalf of The Cleveland Electric  
Illuminating Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer of The Cleveland Electric Illuminating Company was served by regular U.S. Mail, postage prepaid, upon Mr. Paul F. Shagnot, 27 Billow Beach, Ashtabula, Ohio 44004-9784, this 9th day of August, 2002.



Carol L. Dacoros

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