

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Jeffrey Damico,)
)
Complainant,)
)
v.) Case No. 05-1276-EL-CSS
)
The Cleveland Electric Illuminating)
Company,)
)
Respondent.)

ENTRY

The attorney examiner finds:

- (1) On October 14, 2005, Jeffrey Damico (Mr. Damico or Complainant) filed a complaint against The Cleveland Electric Illuminating Company (CEI), alleging that CEI excessively charged him for the cost of replacing a telephone pole. Mr. Damico said that the pole had snapped when he was trimming a nearby tree on February 17, 2005, and that a trimmed branch had touched a nearby power line. He added that while the power line did not snap, the pole broke because it had rotted.
- (2) On October 28, 2005, CEI filed its answer. CEI agrees that the pole in question snapped on February 17, 2005, because of a tree limb striking the conductors attached to the pole. CEI disagrees that the pole had rotted and essentially denies the majority of Mr. Damico's allegations and comments.
- (3) By entry issued on November 16, 2005, the attorney examiner set a prehearing conference December 12, 2005.
- (4) The attorney examiner was contacted by the Complainant on December 9, 2005, to reschedule the prehearing conference.
- (5) Accordingly, the conference is rescheduled to January 23, 2005, at 12:00 p.m. at 180 East Broad Street, 11th Floor, Hearing Room 11-A, Columbus, Ohio 43215. The purpose of the prehearing conference is to determine whether this matter can be

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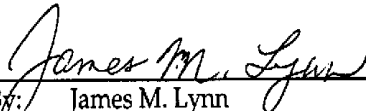
informally resolved. The parties should bring with them all documents relevant to this matter.


It is, therefore,

ORDERED, That a settlement conference be held on this matter as indicated in 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: James M. Lynn
Attorney Examiner


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Entered in the Journal

DEC 16 2005



Renee J. Jenkins
Secretary