

FILE

12336 Sheldon Rd.  
Mantua, OH 44255  
February 16, 2005

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2005 APR -1 PM 2:50

05-46-EL-UNC

PUCO

Nancy P. Frasco  
First Energy  
730 South Ave.  
Youngstown, OH 44502

RE: Claim #93723

Dear Ms. Frasco

Thank you for your prompt response to our claim of 1/7/05. The PUCO rules and regulations sheet that is missing, is the one that covers negligence.

The power outages, which happen so frequently, do not take place 6 - 8 houses, both north and south of our home. Both east and west sides of the road. Ohio Edison continually blames these outages on weather related conditions. It is so hard for me to believe that the weather conditions are so different than ours only 6 to 8 houses, north and south of ours. If I am to believe your customer service department, I am often tempted to contact National Geographic, as I am sure their readers would be interested in hearing of the "Bermuda Triangle" of Sheldon Road. Where weather conditions can be so different on the same street.

I am listing the power outages in 04 -

3/10/04	5/23/04
3/30/04	7/11/04
5/17/04	8/19/04
5/21/04	8/22/04
5/22/04	12/23/04

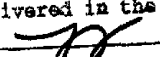
I have pleaded with your customer service department, regularly, to resolve the problem. There are times when they do not have an answer, as to why the power has gone out. Sometimes it lasts for days.

I have also, discussed with them, the fact that my husband is disabled. They treat this issue in such a cavalier fashion, that is shocking, what little respect Ohio Edison has for people with disabilities. They have told me that if he is not on life support, his medical problems are not an issue for Ohio Edison.

I am enclosing a letter from my husband's surgeon, explaining some of my husband's problems, what he has to deal with, when the power is out. How the power outages are not in his best interest.

I am also enclosing a photo, of some of the injuries, he sustained, when he fell.

My husband suffers from internal medical problems, as well as physical ones. I can send a list of his internal problems, if you wish.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business  
Technician  Date Processed 4.1.05

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I don't think our request to have this problem resolved is an unreasonable request.

When we are without power, we can't eat, have running water or flush toilets. Why this issue has gone this long, I am not sure.

Why Ohio Edison continues to deprive a disabledman of simple comforts of life I am not sure of either.

I can not let this go on any more.

You can reach me at my office @ 440-439-2300 #3016, if you have any further questions or need any additional information.

Sincerely -



Kuse A. Guth

RAG/hs

Encs.

cc: PUCO  
State Attorney General Office/Jim Petro  
Anthony Alexander/President/Ohio Edison



**UniversityHospitals  
HealthSystem**

Primary Care  
Physician Practices

**R. Denison Stewart, MD, FACS, FAAOS**  
Orthopedic Surgery

January 19, 2005

Robert A. Guth  
12336 Sheldon Road  
Mantua, Ohio 44255

Re: Robert A. Guth

To Whom It May Concern:

Mr. Robert A. Guth has been a patient in this orthopaedic office for a number of years for a variety of orthopaedic problems. Mr. Guth has a number of very significant orthopaedic problems, including advanced osteoarthritis of the right shoulder, severe and extensive degenerative disc and joint disease in the lumbosacral spine, which has required multiple back surgeries, and advanced osteoarthritis of the right knee, which has required total knee reconstruction. Unfortunately, that total knee prosthesis is now loose and causing Mr. Guth pain. I believe it is appropriate to add, at this point, that Mr. Guth is a veteran of the Viet Nam conflict, and, much trauma he incurred during those years, are complicating these multiple orthopaedic problems.

Mr. Guth has informed me that he frequently loses electrical power at his home, and this has placing an extreme hardship upon him. During these periods of power outage, he must keep generators running to preserve frozen food and heat in the house. He also has to carry water from a neighbor in that their house is dependent upon an electrically-operated well. When these power outages occur during the winter, Mr. Guth has to work doubly hard to keep woodburners going to prevent that house from freezing.

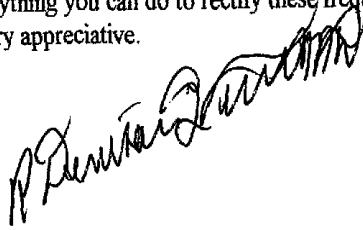
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January 19, 2005  
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Re: Robert A. Guth

All of this, of course, as you can well imagine, is an extreme hardship on Mr. Guth, given his above disabilities. If there is anything you can do to rectify these frequent power outages, both the Guth family and I would be very appreciative.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Denison Stewart". The signature is written in a cursive style and is positioned above the typed name.

R. Denison Stewart, M.D./mk

RDS/mk



Claims Department  
730 South Avenue  
Youngstown, Ohio 44502

January 10, 2005

800-633-4766  
Fax: 300-740-7569

Mrs. Robert A. Guth  
12336 Sheldon Road  
Mantua, OH 44255

CLAIM NO. 93723

Dear Mrs. Guth:

Your recent claim of personal injury was referred to me for review and response. Several attempts to contact you by telephone have been unsuccessful. I'm sure you are aware, an ice storm swept through the area causing widespread power outages. The power disruption you experienced on January 7, 2005 resulted when a tree brought down a primary line on State Route 44. This is certainly beyond our control; however, our number one priority is to safeguard our employees, customers and the public. Reports that I have received from the workers at the scene do not indicate any negligence on the part of Ohio Edison Company.

While Ohio Edison Company strives to provide you a continuous supply of electricity, we are not able to guarantee voltages or that your service will never be disrupted. I am attaching a copy of our rules and regulations, on file with and approved by the Public Utilities Commission. As you can see, the Commission has recognized our inability to maintain voltage and guarantee service and has also limited our liability in such matters. Perhaps this information will be useful to you should you decide to pursue reimbursement through your property owners insurance.

I sincerely hope Mr. Guth has recovered from his recent injury. If you wish to discuss this matter further, please feel free to contact me at 330/740-7549.

Very truly yours,

Nancy P. Frasco  
Adv. Claims Representative

Enclosure

**ELECTRIC SERVICE  
STANDARD RULES AND REGULATIONS**

- F. Special facilities:** Any special services, facilities, or instrumentalities which may be rendered or furnished by the Company for a customer at his request or at the direction of any governmental authority, and not provided for in the Company's rate schedules and not ordinarily necessary or directly involved in the furnishing of electric service, shall be paid for by the customer for whom such services, facilities, or instrumentalities are furnished, and such costs shall be in addition to the charges for electric service provided for in the applicable rate schedule. Subject to the approval of the Company, such special services, facilities, or instrumentalities may be supplied and maintained by the customer at his expense.
- G. Access to premises:** The Company's authorized agents shall have access to the customer's premises at all reasonable hours for the purpose of reading, inspecting, testing, repairing, replacing, installing, analyzing or removing its meters or other property and for the purpose of inspecting the customer's electrical installation. In the event of an emergency, the Company's authorized agents shall have access at any time.

**XI. CUSTOMER'S WIRING, EQUIPMENT AND SPECIAL SERVICES**

- A. Installation:** The customer shall supply all wiring on the customer's side of the point of attachment as designated by the Company. All of the customer's wiring and electrical equipment should be installed so as to provide not only for immediate needs but for reasonable future requirements and shall be installed and maintained by the customer to at least meet the provisions of the National Electrical Code, the regulations of the governmental authorities having jurisdiction and the reasonable requirements of the Company. As required by the Ohio Administrative Code, all new installations shall be inspected and approved by the local inspection authority or, where there is no local inspection authority, by a licensed electrician, before the Company connects its service. Changes in wiring on the customer's premises shall also be inspected and approved by the local inspection authority or, where there is no local inspection authority, by a licensed electrician.
- B. Company responsibility:** The Company shall not be liable for any loss, cost, damage or expense that the customer may sustain by reason of damage to or destruction of any property, including the loss of use thereof arising out of, or in any manner connected with interruptions in service, variations in service characteristics, high or low voltage, phase failure, phase reversal, the use of electrical appliances or the presence of the Company's property on the customer's premises whether such damages are caused by or involve any fault, failure or negligence of the Company or otherwise except such damages that are caused by or due to the willful and wanton misconduct of the Company. The Company shall not be liable for damage to any customer or to third persons resulting from the use of the service on the customer's premises or from the presence of the Company's appliances or equipment on the customer's premises.

**ELECTRIC SERVICE  
STANDARD RULES AND REGULATIONS**

- B. Continuity:** The Company will endeavor, but does not guarantee, to furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits. The Company shall not be liable for damages which the customer may sustain due to variations in service characteristics or phase reversals.

The standard secondary voltages are 120/240 volt three wire single phase, 208Y/120 volt four wire three phase and 480Y/270 volt four wire three phase. The Company designs its system so that under normal operating conditions the sustained service voltage is within a range of plus or minus 5% of the normal voltage level for that service. Whenever voltages shall be known to exist outside of such ranges, the Company will take steps to promptly initiate corrective action to restore the sustained voltage level within said ranges.

For primary voltage services, the Company does provide standard three phase distribution, subtransmission and transmission voltages that are available from existing facilities. The Company designs its system so that under normal operating conditions the sustained service voltage is within a range of plus or minus 10% of the normal voltage level for that service. If the voltage is unsatisfactory for particular customer applications or for special apparatus requiring close regulation, then the customer shall install regulative apparatus at the customer's own expense.

**V. APPLICABILITY OF RATE SCHEDULES**

- A. Individual customer metering:** Service will be supplied under the appropriate rate schedule, to each separate dwelling (single or part of a multiple unit), apartment, farm, commercial or industrial establishment as one customer through one meter or one unified set of meters for each class of service.
- B. Auxiliary service and stand-by service:** The charges contained in the Company's Schedule of Rates, unless otherwise specified, do not apply when the Company's service is used for auxiliary service or stand-by service to any other source of energy.

"Auxiliary service" is that service which supplements another source of supply where arrangements are made so that either source or both sources can be utilized in whole or in part.

"Stand-by service" is that service which can be used for reserve or in case of an emergency breakdown or failure of the regular source of supply. Separate rate schedules are available for auxiliary service and for stand-by service.