

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

| | | |
|---|---|-------------------------|
| In the Matter of the Complaint of Charles |) | |
| Hanline, Jr., |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | |
| |) | Case No. 96-1010-EL-CSS |
| Firelands Electric Cooperative, Inc. and |) | |
| Ohio Power Company, |) | |
| |) | |
| Respondents. |) | |
| |) | |
| In the Matter of the Joint Petition of |) | |
| Firelands Electric Cooperative, Inc. and Ohio |) | Case No. 98-1190-EL-PEB |
| Power Company, Requesting Revision to a |) | |
| Territorial Boundary Map. |) | |

ENTRY

The Commission finds:

- (1) On September 20, 1996, Charles Hanline (complainant) filed a complaint against Firelands Electric Cooperative, Inc. (Firelands), docketed as Case No. 96-1010-EL-CSS (96-1010), alleging that the territorial boundaries that require the complainant to receive service from Firelands are erroneous and in violation of the law. Further, the complainant asserts that the service he receives from Firelands is inadequate and the rates unreasonable. The complainant requested that the Commission correct and recertify the territorial boundary line and permit him to receive service from Ohio Power Company (Ohio Power).
- (2) A settlement conference was held in this matter on December 17, 1996. However, the complainant and Firelands were unable to resolve the dispute at that time, but requested additional time to negotiate. A hearing was held in 96-1010 on July 29, 1997. The parties filed briefs and reply briefs in this matter on September 5, and September 15, 1997, respectively.
- (3) Subsequent to the hearing, the parties informed the Attorney Examiner that they were negotiating a settlement of 96-1010. On August 28, 1998, Firelands and Ohio Power filed a petition

for reallocation of territory docketed as Case No. 98-1190-EL-PEB (98-1190). Firelands and Ohio Power are electric suppliers as defined in Section 4933.81, Revised Code.

- (4) Certification by the Commission of the territories of Firelands and Ohio Power was approved by Entries issued on February 11, 1981 and September 28, 1983, respectively, in Case No 78-1311-EL-ORD.
- (5) Firelands and Ohio Power have jointly petitioned the Commission to reallocate their service territories in Huron County, Ohio. Specifically, the respondents/petitioners request the following relocation:

On House Bill Map No. F-17 in Great Lot 8, Section 2 beginning at a point on the existing boundary line where it crosses the center line of Paul road; thence south along the center line of Paul Road a distance of 270 feet; thence west along a property line a distance of 556 feet; thence north along a property line a distance of 270 feet to where it meets the existing boundary line.

Also on House Bill Map No. F-20 in Quarter Township 2 of Township 1 North, Range 21 West beginning at a point on the existing boundary line where it crosses the center line of Greenwich East Town Line Road; thence south along the center line of Greenwich East Town Line road a distance of 480 feet; thence west along a property line a distance of 554 feet; thence north along a property line a distance of 480 feet to where it meets the existing boundary.

- (6) In support of their request, Firelands and Ohio Power state that a this exchange of territory will permit Mr. Hanline to receive electric service from Ohio Power. Further, a property owner and customer of Ohio Power, Carlton Smith, has agreed to receive electric service from Firelands.
- (7) Section 4933.83 (E), Revised Code, provides in pertinent part:

Notwithstanding the effectuation of certified territories established by or pursuant to Sections 4933.81 to 4933.90 of the Revised Code, and the exclusive right of electric suppliers to serve within such territory, and

notwithstanding any other provisions of such sections establishing rights of electric suppliers to furnish electric service, any two or more electric suppliers may jointly petition the Commission for the reallocation of their own territories and electric load centers among them and designating which portions of such territories and electric load centers are to be served by each of the electric suppliers.

- (8) The Staff has reviewed this petition and recommends approval of the boundary line relocation described in Finding (5).
- (9) No exception to the change described in Finding (5) has been brought to the Commission's attention.
- (10) The Commission finds that granting the requested relief will promote the purposes of Sections 4933.81 to 4933.90, Revised Code, and will further promote the provision of adequate service to all territories and electric load centers affected by the relocation. Accordingly, the Commission shall order the appropriate modification of the territorial boundary of Firelands and Ohio Power. Furthermore, Mr. Hanline's complaint in 96-1010 should be dismissed and closed of record.

It is, therefore,

ORDERED, That the request of Firelands and Ohio Power to relocate their territory boundary is granted. It is, further,

ORDERED, That the change on House Bill Map Nos. F-17 and F-20, described in Finding (5), be approved to show the boundary line change. It is, further,

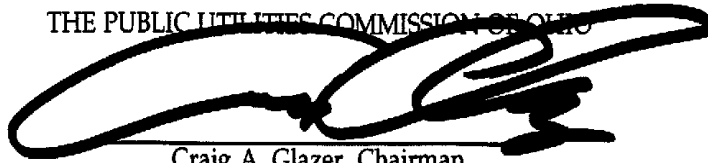
ORDERED, That 96-1010 is dismissed and closed of record. It is, further,

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ORDERED, That a copy of this Entry be served upon the parties to these proceedings and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

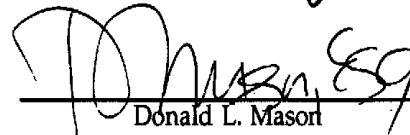


Craig A. Glazer, Chairman

Jolynn Barry Butler


Ronda Hartman Fergus

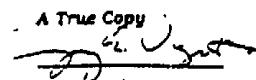

Judith A. Jones


Donald L. Mason

GNS/pdc

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SEP 24 1998

A True Copy


Gary E. Vigorito
Secretary

SERVICE NOTICE

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CASE NUMBER 98-1190-EL-PEB
CASE DESCRIPTION OHIO POWER COMPANY/FIRELANDS ELEC
DOCUMENT SIGNED ON September 24, 1998
DATE OF SERVICE 9.28.98 *Closed*

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

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