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FirstEnergy

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PUCO

October 24, 2005

VIA OVERNIGHT MAIL

Ms. Renee J. Jenkins
Director, Administration Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43266-5073

Re: *Answer and Motion to Dismiss of Ohio Edison Company*
Beverly E. Jones v. SBC Ohio Inc. and Ohio Edison Company
Case No. 05-950-AU-CSS

Dear Ms. Jenkins:

Enclosed for filing please find the original and twelve (12) copies of the *Answer and Motion to Dismiss of Ohio Edison Company* regarding the above-referenced case. Please file the attached. File-stamp the two extra copies and return them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,

Carol L. Dacoros

CLD:ge
Enclosures

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BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

Beverly E. Jones)	
COMPLAINANT,)	
)	
vs.)	CASE NO. 05-950-AU-CSS
)	
SBC Ohio, Inc.)	
and)	
Ohio Edison Company)	
RESPONDENT.)	

**ANSWER AND MOTION TO DISMISS OF
OHIO EDISON COMPANY**

Comes now Respondent, Ohio Edison Company, by counsel, and for its Answer to the Complaint filed in the instant action, as clarified and articulated in the Entry dated October 5, 2005, says that:

1. The Ohio Edison Company (“Ohio Edison”) 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. Ohio Edison denies that an excessive amount of electric current runs throughout the Complainant’s home for lack of knowledge or information sufficient to form a belief as to the truth of the allegations, and avers that during the course of furnishing electric energy to Complainant’s home, it maintains voltage and frequency within reasonable limits, as provided in its Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio.
3. Ohio Edison denies that excessive electric current had damaged the walls and floors of Complainant’s home and caused Complainant physical harm for lack of knowledge or information sufficient to form a belief as to the truth of the allegations;

4. Ohio Edison denies that in January 2005, Complainant's grandson was shocked by an electric current in her home for lack of knowledge or information sufficient to form a belief as to the truth of the allegations;

5. Ohio Edison denies that the Complainant has experienced harmful electric current in the homes of her daughters for lack of knowledge or information sufficient to form a belief as to the truth of the allegations;

6. Ohio Edison admits that Complainant is a percentage of income payment plan (PIPP) customer;

7. Ohio Edison denies that Complainant received an inaccurate, high electric bill in the amount of \$438.00 and avers that the Complainant's account is accurate, as reflected in the attached Exhibit A, which is a detailed statement of account for Complainant's residence.

8. Ohio Edison generally denies all allegations set forth in the Complaint that were not otherwise specifically addressed hereinabove.

For its affirmative defenses, the Company further avers that:

9. Ohio Edison has at all times acted in accordance with its Tariff, PUCO No. 11, 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, and Ohio Edison denies that its rates, charges, practices, or services are unjust or unreasonable.

For its Motion to Dismiss, the Company states:

10. Ohio Edison breached no legal duty owed to Complainant, and Complainant failed to state reasonable grounds upon which its requested relief may be granted.

11. Complainant has not identified any Commission rule or regulation that it believes Ohio Edison has violated.

WHEREFORE, having fully answered the Complaint, Respondent, Ohio Edison Company, respectfully requests that the instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,



Carol L. Dacoros (0068319)

Attorney

FirstEnergy Service Company

76 South Main Street

Akron, Ohio 44308

Phone: 330-384-4783

Fax: 330-384-3875

On behalf of Ohio Edison Company

DETAILED STATEMENT OF ACCOUNT

Customer Name: BEVERLY E JONES Account Number: 110015092668

Service Address: 45 N GARLAND AVE
YOUNGSTOWN OH 44506

Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Types	Account Balance
11/05/03																-25.37
11/12/03	11/12/03							21.15		21.15		12/01/03	-40.00			-4.22
11/12/03																-4.40
12/13/03																-4.60
12/13/03	12/13/03							36.59		36.59		12/30/03				31.99
01/02/04													-50.00			-18.01
01/13/04																-18.20
01/13/04	01/13/04							34.21		34.21		01/29/04				16.01
02/12/04	02/12/04							36.28		36.28		03/01/04				52.29
02/12/04																52.11
03/12/04																51.94
03/12/04	03/11/04							29.40		29.40		03/29/04				81.34
								Bill reversed on 04/17/2004.								
04/12/04																29.23
04/12/04																29.03
04/12/04	04/12/04							30.53		30.53		04/28/04				59.56
								Bill reversed on 04/17/2004.								
04/17/04																59.76
04/17/04																-0.17
								Reversal - Interest for Security Deposit Held on the Account.								
								Reversal of bills from 03/11/2004 to 04/12/2004.								
04/17/04																0.00
								Reversal - Interest for Security Deposit Held on the Account.								
04/17/04	03/11/04							29.40		29.40		05/03/04				29.40
04/17/04																29.01
04/17/04	04/12/04							30.53		30.53		05/03/04				59.54
05/11/04	05/11/04							23.65		23.65		05/27/04				83.19
05/11/04																83.04
06/04/04													-50.00			33.04

Exhibit A
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Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Type	Account Balance
06/14/04	06/14/04							17.72	17.72	17.72		06/30/04				50.76
06/14/04														-0.21	SDINT	50.55
07/12/04	07/12/04							19.24	19.24	19.24		07/28/04				69.79
07/12/04														-0.17	SDINT	69.62
08/10/04													-50.00			19.62
08/11/04														-0.18	SDINT	19.44
08/11/04	08/11/04							20.47	20.47	20.47		08/27/04				39.91
09/11/04														-0.20	SDINT	39.71
09/11/04	09/10/04							16.32	16.32	16.32		09/28/04				56.03
10/04/04													-77.70			-21.67
10/11/04														-0.18	SDINT	-21.85
10/11/04	10/11/04	KWH	6,681	144	31	5 Act		18.40	18.40	18.40		10/27/04				-3.45
11/04/04														-28.02		-31.47
11/10/04	11/10/04	KWH	6,813	132	30	4 Act		17.08	17.08	17.08		11/29/04				-14.39
11/10/04														-0.18	SDINT	-14.57
12/11/04	12/10/04	KWH	6,983	170	30	6 Act		21.31	21.31	21.31		12/28/04				6.74
12/11/04														-0.20	SDINT	6.54
01/13/05	01/13/05	KWH	7,255	272	34	8 Act		32.65	32.65	32.65		01/31/05				39.19
01/13/05														-0.20	SDINT	38.99
01/24/05													-4.00			34.99
02/14/05														-0.20	SDINT	34.79
02/14/05	02/14/05	KWH	7,533	278	32	9 Act		33.45	33.45	33.45		03/02/05				68.24
03/15/05														-0.18	SDINT	68.06
03/15/05	03/15/05	KWH	7,814	281	29	10 Act		33.79	33.79	33.79		03/31/05				101.85
04/12/05														-0.17	SDINT	101.68
04/12/05	04/12/05	KWH	8,070	256	28	9 Act		31.02	31.02	31.02		04/28/05				132.70
05/12/05														-0.18	SDINT	132.52
05/12/05	05/12/05	KWH	8,265	195	30	7 Act		24.20	24.20	24.20		05/31/05				156.72
06/15/05	06/15/05	KWH	8,473	208	34	6 Act		25.87	25.87	25.87		07/01/05				182.59
06/15/05														-0.21	SDINT	182.38
07/16/05														-0.20	SDINT	182.18
07/16/05	07/15/05	KWH	8,668	195	30	7 Act		24.42	24.42	24.42		08/02/05				206.60
08/23/05	08/23/05	KWH	9,053	385	39	10 Act		46.55	46.55	46.55		09/08/05				253.15
08/23/05														-0.20	SDINT	252.95
09/24/05														-0.12	SDINT	252.83
09/24/05	09/23/05	KWH	9,070	17	31	1 Act		4.36	4.36	4.36		10/11/05				257.19

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer and Motion to Dismiss of Ohio Edison Company was served by regular U.S. Mail, postage prepaid, upon the following parties, this 24th day of October, 2005.

Mrs. Beverly E. Jones
45 N. Garland Street
Youngstown, Ohio 44506

Jon F. Kelly
General Attorney – State Regulatory and Governmental Relations
SBC
150 E. Gay Street, Room 4-A
Columbus, Ohio 43215



Carol L. Dacoros
Attorney