

BEFORE THE PENNSYLVANIA  
PUBLIC UTILITIES COMMISSION

EVAN ACRES FARMCO, LTD.,  
Complainant,

vs.

PENNSYLVANIA ELECTRIC COMPANY,  
Respondent.

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Docket NO. C-2009-2084030

**COMPLAINT TO JOIN INDISPENSABLE PARTIES**

AND NOW, comes the Complainant, Evan Acres Farmco, LTD, by and through its counsel, The McDonald Group, LLP, and files this Complaint to Join Indispensable Parties, averring in support thereof the following:

1. This is an action raising issues as to the proper billing for electric service to a tenant of a farmhouse and barn operation.

2. Currently, the parties are the owner of the property, Evan Acres Farmco, LTD, and Pennsylvania Electric Company.

3. Pursuant to the Public Utilities Commission Decision in Susan Afshari v. PPL Electric Utilities Corporation and Kim and Michael Fantasier, Case No. C-20055547 (April 9, 2008), the tenant is to be joined as an indispensable party to any Complaint raising issues pertaining to purported foreign loads.

4. During the periods of time which are at issue in the current case, the tenants in the property were John Keene and Jennifer Keene, husband and wife.

5. As the tenants, the Keenes are solely responsible for payment of Penelec's invoices for electric service during the contested period of time.

WHEREFORE, the Public Utilities Commission is respectfully requested to make a determination that the Complainant, Evan Acres Farmco, LTD, is not responsible for electric

service at the premises which are the subject matter of this Complaint and has no liability to Pennsylvania Electric Company for the amount of those invoices, and to determine that all liability for electric services during the contested period of time rests with John and Jennifer Keene.

Respectfully submitted,

THE McDONALD GROUP, L.L.P.

By:  \_\_\_\_\_

Gary Eiben

Pa. I.D. No. 26375

456 West Sixth Street

P. O. Box 1757

Erie, PA 16507-0757

Phone: (814) 456-5318

Email: [geiben@tmgattys.com](mailto:geiben@tmgattys.com)

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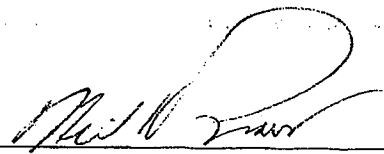
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VERIFICATION

I, Neil K. Evans, manager of Evan Acres Farmco, LLC ("Farmco"), hereby state that the facts set forth in the Complaint to Join Indispensable Parties are true and correct to the best of my knowledge, information and belief and that Farmco expects to be able to prove same at a hearing held in this matter. I understand that the statements made herein are made subject to the penalties of 18 PA. C.S. §4904.

Evan Acres Farmco, LTD.

February 18, 2009  
Date

By:   
Neil K. Evans  
Manager