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May 24, 2010

VIA FEDERAL EXPRESS

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
Post Office Box 3265, 400 North Street
Harrisburg, PA 17105-3265

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MAY 24 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Bozena Dziadas v. PPL Electric Utilities Corporation; Docket No. F-2009-2109584

Dear Ms. Chiavetta:

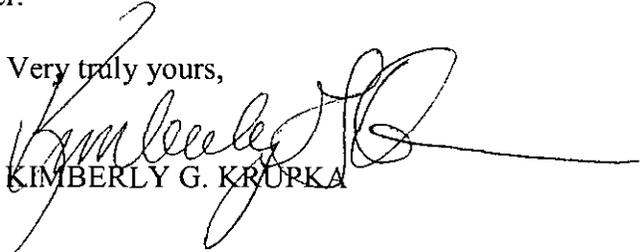
Enclosed for filing in the above-captioned matter are an original and nine (9) copies of Replies of PPL Electric Utilities Corporation to Complainant's Exceptions to the Initial Decision of Administrative Law Judge Susan D. Colwell issued April 20, 2010, along with the attached Certificate of Service.

Pursuant to 52 Pa. Code §1.11, the enclosed document is to be deemed filed on or before May 24, 2010, which is the date it was deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

I am also enclosing an extra copy of PPL's Replies to Complainant's Exceptions. Please time-stamp this copy and return it to my office in the envelope provided.

Thank you for your cooperation in this matter.

Very truly yours,


KIMBERLY G. KRUPKA

KGK:ejm

Enclosures

cc: Administrative Law Judge Susan D. Colwell (w/enc)
Ms. Bozena Dziadas (w/enc)
Ms. Kimberly A Galligani (w/ enc); *via email only*

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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MAY 24 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BOZENA DZIADAS,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET

NO. F-2009-2109584

**REPLIES OF PPL ELECTRIC UTILITIES CORPORATION TO COMPLAINANT'S
EXCEPTIONS TO THE INITIAL DECISION OF ADMINISTRATIVE LAW JUDGE
SUSAN D. COLWELL ISSUED APRIL 20, 2010**

KIMBERLY G. KRUPKA, ESQUIRE
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Allentown, Pennsylvania 18105-4060
Telephone: (610) 820 – 5450

Attorney for PPL Electric Utilities Corporation

Date: May 24, 2010

I. INTRODUCTION

Respondent PPL Electric Utilities Corporation (“PPL”) files the within Replies to Complainant’s Exceptions to the Initial Decision of Administrative Law Judge Susan D. Colwell issued April 20, 2010. PPL respectfully submits that ALJ Colwell correctly dismissed the Complaint of Bozena Dziadas based on the substantial testimony of record.

For the reasons more fully set forth below, the Exceptions of Complainant should be denied.

II. REPLIES TO COMPLAINANT’S EXCEPTIONS

1. Complainant’s Exception 1: Complainant excepts on the basis that ALJ Colwell listed her mailing address in the Decision.

PPL’s Reply:

ALJ Colwell properly listed Complainant’s mailing address within the Decision. With regard to ALJ Colwell’s review of the evidence, there is no indication that she referred to incorrect activity statements or evidence. The only evidence at the hearing was with regard to the account about which Ms. Dziadas complained and the decision clearly corresponds to the allegations of the Complaint.

2. Complainant’s Exception 2: Complainant excepts that the Polish Interpreter was not present from the beginning of the case.

PPL’s Reply:

As noted by ALJ Cocheres, Complainant actively participated in the hearing, and at no times indicated any difficulty understanding the testimony. In fact, when the Interpreter appeared, Complainant continued her participation, answering questions and asking questions in English. Complainant indicated her ability to proceed in English without an interpreter, and in

fact, had an Interpreter available for two thirds of the hearing. Complainant further does not allege that the absence of the Interpreter impacted her testimony.

3. Complainant's Exception 3: Complainant appears to contend she presented sufficient evidence of improper billing.

PPL's Reply:

ALJ Colwell properly relied on the evidence of record to establish her findings. ALJ Colwell properly concluded that a heat pump placed in the "emergency use" mode uses more electricity than household heating systems, and accounted for Complainant's electric consumption. Based on Kevin George's investigation and testimony, ALJ Colwell properly found that Complainant had the ability to use the electric for which she was billed and that her electric meter was properly recording electric usage. Moreover, ALJ Colwell performed a comprehensive review of the account activity statement and found consistent bills based upon weather conditions.

Moreover, ALJ Colwell properly found that PPL is not required to replace an AMR meter with a "non-AMR meter" upon the request of the Customer.

III. CONCLUSION

PPL respectfully requests the Initial Decision of ALJ Colwell, dated April 20, 2010, be affirmed and made final.

Respectfully submitted,

PPL ELECTRIC UTILITIES CORPORATION

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MAY 24 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BY:


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Attorney for PPL Electric Utilities Corp.

Dated: May 24, 2010
at Allentown, Pennsylvania

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BOZENA DZIADAS,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET

NO. F-2009-2109584

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CERTIFICATION OF SERVICE

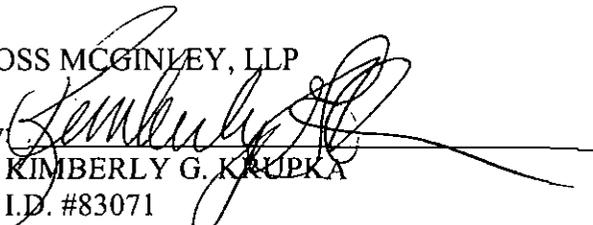
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SECRETARY'S BUREAU

I hereby certify that I have this day served a true copy of the foregoing document upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

BOZENA DZIADAS
195 GLADE DRIVE
LONG POND, PA 18334

Dated this the 24th day of May 2010.

GROSS MCGINLEY, LLP

By 

KIMBERLY G. KRUPKA

I.D. #83071

Attorney for PPL Electric Utilities Corp.

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Allentown, PA 18105-4060

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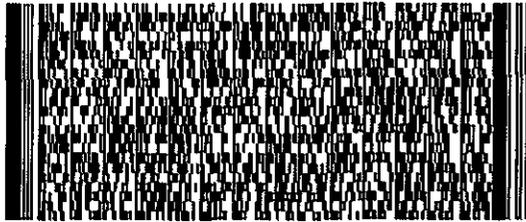
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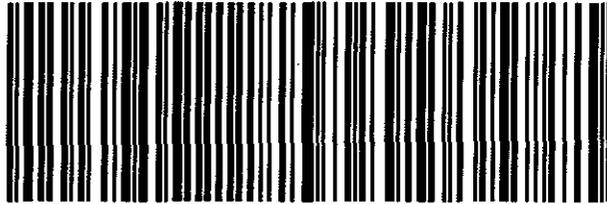
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