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June 1, 2010

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VIA UPS OVERNIGHT MAIL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

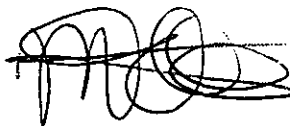
Re: Lilette M. Griffin v. Metropolitan Edison Company
Docket No. C-2010-2175433

Dear Secretary Chiavetta:

Enclosed please find the original and three (3) copies of the Preliminary Objections on behalf of Metropolitan Edison Company to the Complaint of Lilette M. Griffin in the above-captioned docket number. Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,

RYAN, RUSSELL, OGDEN & SELTZER P.C.



Matthew A. Totino

Enclosures
MAT:ck

c: Certificate of Service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

LILETTE GRIFFIN

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:
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v.

Docket No. C-2010-2175433

METROPOLITAN EDISON COMPANY

**PRELIMINARY OBJECTIONS OF METROPOLITAN EDISON COMPANY TO
DISMISS THE COMPLAINT OF LILETTE GRIFFIN**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Metropolitan Edison Company ("Met-Ed" or the "Company"), by and through its counsel, Matthew A. Totino, John F. Povilaitis and Ryan, Russell, Ogden & Seltzer P.C., files these Preliminary Objections requesting that the Commission dismiss the Complaint filed by Lilette Griffin ("Ms. Griffin" or "Complainant") in the above-captioned matter. Met-Ed files these Preliminary Objections pursuant to Section 5.101(a) of this Commission's regulations, 52 Pa. Code § 5.101(a). In support of its Preliminary Objections, Met-Ed avers as follows:

I. Introduction

1. These Preliminary Objections request that the Commission dismiss the above-captioned Complaint. The Complaint should be dismissed because the Commission does not have jurisdiction to award the sole prayer for relief in the Complaint: a payment agreement.

II. Factual Background

2. Met-Ed is an Electric Distribution Company that is certificated as a public utility in Pennsylvania.

3. On or about May 6, 2010, Ms. Griffin filed a Formal Complaint against Met-Ed at the above-captioned docket. In her Complaint, Ms. Griffin's sole prayer for relief is another payment agreement.

4. On or about May 12, 2010, the Complaint was served on Met-Ed.

5. Met-Ed has filed its Answer and New Matter simultaneously with this pleading.

III. Discussion

A. The Complaint should be dismissed because the Commission does not have jurisdiction under Chapter 14 of the Public Utility Code to award the requested relief.

6. Complainant receives residential retail electric service from Met-Ed at 102 Pom Pom Ct., Milford, Pennsylvania, 18337 ("Service Location").

7. According to paragraphs 4 and 5 of the above Formal Complaint, Complainant's sole prayer for relief is a payment agreement.

8. Complainant's payment history with Met-Ed at the Service Location is poor, including numerous broken payment agreements with the Company since 2005.

9. Complainant also had a prior Commission-approved payment arrangement for the Service Location dated July 27, 2004 that was also breached (Case # 1730322).

10. Under the terms of the Commission-approved agreement, Complainant was to pay her monthly budget billing amount plus \$25 towards her arrearages, beginning with the September 2004 bill. The amount subject to the agreement was \$816.81. At the time of the agreement, Complainant's income level was level 1.

11. The Commission-approved agreement was breached when Complainant failed to make monthly payments by the bill due date, beginning with first bill rendered on August 20, 2004 until she was placed on new company agreement on July 18, 2006.

12. Under Section 1405 of the Public Utility Code ("Code") and Commission precedent, the Commission cannot establish or order a public utility to establish a second or subsequent payment agreement for a customer that has breached a prior Commission-approved agreement, absent a change in income. The Code defines a "change in income" as a decrease in the household income of 20% or more if the customer's household income level exceeds 200% of the federal poverty level or a decrease in household income 10% or more if the customer's household income level is 200% or less of the federal poverty level.

13. Here, Complainant has breached a prior Commission-approved payment agreement.

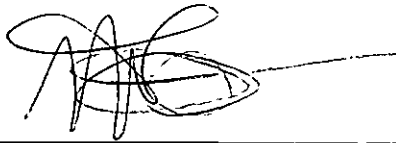
14. And, Complainant has not experienced a "change in income" as defined by the Code since failing to comply with the Commission-approved payment agreement, as Complainant's current income level is level 2A, which is an increase in income from level 1.

15. Therefore, the Commission does not have jurisdiction to grant the sole relief requested in the above Formal Complaint – another payment agreement, and the Complaint should be dismissed accordingly.

IV. Conclusion

WHEREFORE, for the foregoing reasons, the Metropolitan Edison Company respectfully requests that the Commission grant its Preliminary Objections dismissing the Complaint of Lilette Griffin filed at the above-captioned docket and grant any other relief as may be lawful, just and reasonable under the circumstances.

Respectfully Submitted,



Dated: June 1, 2010

Matthew A. Totino
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Attorneys for Metropolitan Edison Company

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LILETTE GRIFFIN

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2010-2175433

NOTICE TO PLEAD

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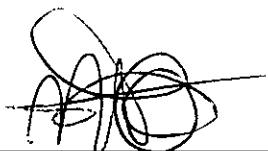
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

TO: Lilette Griffin
102 Pom Pom Ct.,
Milford, Pennsylvania, 18337

You are hereby notified that Metropolitan Edison Company has filed Preliminary Objections to the above-captioned Complaint. Pursuant to 52 Pa. Code §§ 5.61 and 5.101, you are hereby notified that if you do not file a written response to the enclosed Preliminary Objections within ten (10) days from service of this notice, the objections may be granted, thereby dismissing your Complaint, in whole or in part.

All pleadings such as an Answer to Preliminary Objections must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel.

Dated: June 1, 2010



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Attorneys for Metropolitan Edison Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LILETTE M. GRIFFIN :
 :
 v. : Docket No. C-2010-2175433
 :
 METROPOLITAN EDISON COMPANY :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Preliminary Objections on behalf of Metropolitan Edison Company upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by First Class Mail, postage prepaid, addressed as follows:

Lilette M. Griffin
102 Pom Pom Ct.
P.O. Box 1485
Milford, Pennsylvania 18337


Bradley A. Bingaman, Esquire
Pennsylvania Electric Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001

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**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Dated: June 1, 2010



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