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\*Also admitted in NJ  
†Also admitted in DC & MD  
\*Also admitted in MA  
<sup>†</sup>Also admitted in CT

August 2, 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

**RECEIVED**

AUG 2 2010

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**RE: Jeffrey Smiles v. PPL Electric Utilities Corporation  
No. C-2010-2186622**

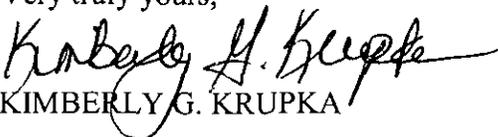
Dear Ms. Chiavetta:

Enclosed for filing in the above-captioned matter is the original Petition to Join an Indispensible Party on behalf of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §1.11, the enclosed document is deemed to be filed on August 2, 2010, and was deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

In addition, please date and time-stamp the enclosed extra copy of this letter and return it to me in the envelope provided.

Very truly yours,

  
KIMBERLY G. KRUPKA

KGK/ejm

Enclosures

cc: Jeffrey Smiles (w/ enc)  
Dominion Energy (w/ enc)  
MX Energy (w/ enc)  
Kimberly A Galligani (w/ enc); *via email*  
Karen A. Posten (w/ enc); *via email*

00333168.DOC

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEFFREY W. SMILES,  
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET  
NO. C-2010-2186622

**NOTICE TO PLEAD**

TO: Jeffrey W. Smiles  
3049 Octogon Avenue  
Sinking Springs, PA 19608

Dominion Energy  
501 Martindale Street, Suite 400  
Pittsburgh, PA 15212

MX Energy  
P O Box 8127  
Stamford, CT 06905-8127

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AUG 2 2010

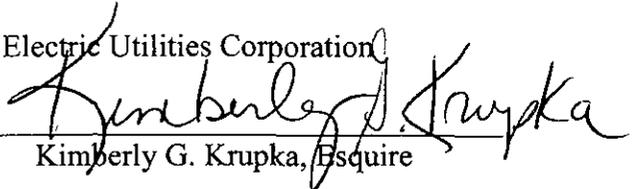
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Pursuant to 52 Pa. Code Section 5.101(d), you are hereby notified that you have ten (10) days from the date of service of the within Petition to Join an Indispensible Party within which to file a written answer with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, and that if you fail to so file a written answer within ten (10) days from the date of service, Respondent's Petition to Join an Indispensible party may be granted without further notice.

Respectfully submitted,

PPL Electric Utilities Corporation

BY:

  
Kimberly G. Krupka, Esquire

Dated: August 2, 2010  
at Allentown, Pennsylvania

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEFFREY W. SMILES,  
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,  
Respondent.

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AUG 2 2010

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**PETITION TO JOIN AN INDISPENSIBLE PARTY**

PPL Electric Utilities Corporation (hereafter "PPL"), by its attorney, hereby files the following Petition to Join an Indispensible Party and, contemporaneously with the filing of this Petition to Join an Indispensible Party, PPL has filed, as of this date, an Answer to the Complaint in the above-captioned proceeding, which is incorporated herein as though set forth fully at length.

1. Petitioner is PPL.
2. Respondents are:
  - a) Jeffrey W. Smiles  
3049 Octogon Avenue  
Sinking Springs, PA 19608
  - b) Dominion Energy  
501 Martindale Street, Suite 400  
Pittsburgh, PA 15212
  - c) MX Energy  
P O Box 8127  
Stamford, CT 06905-8127

3. Complainant owns a residential property located at 3049 Octogon Avenue, Sinking Spring, Pennsylvania, 19608.

4. Complainant has filed a Complaint docketed in the above-captioned action matter alleging that Dominion Energy and MX Energy have improperly charged him for electric generation services and that PPL has placed those amounts on Complainant's bill.

5. As more fully set forth in PPL's Answer to the Complaint, PPL complied with all notices to transfer Complainant's services to either Dominion, or MX Energy, and was required to do so in accordance with law.

6. An indispensable party is one whose interest in the subject matter and relief of proceeding deter the Commission from proceeding without.

7. The Pennsylvania Supreme Court has held that in determining whether a party is indispensable, the tribunal must determine whether that party's interest is essential to the merits of the issue.

8. Here is the Commission was to determine that Complainant was overbilled for the generation of electric, such determination would apply to the charges imposed by Dominion and MX Energy.

9. Since Dominion and MX Energy's rights will clearly be affected by the results of this proceeding, it is essential that they be paid parties to this action.

10. PPL requests that the Commission join the following companies as indispensable parties to this action:

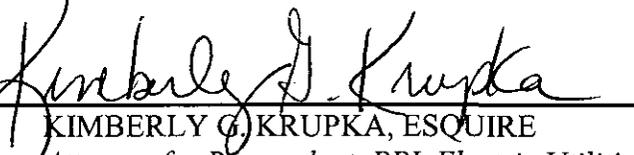
a) Dominion Energy  
501 Martindale Street, Suite 400  
Pittsburgh, PA 15212

b) MX Energy  
P O Box 8127  
Stamford, CT 06905-8127

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Pennsylvania Public Utilities Commission grant PPL's Petition to Join an Indispensible Party.

Respectfully submitted,

GROSS MCGINLEY, LLP

BY   
KIMBERLY G. KRUPKA, ESQUIRE  
*Attorney for Respondent, PPL Electric Utilities Corporation*

Dated August 2, 2010  
In Allentown, Pennsylvania

**RECEIVED**

AUG 2 2010

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEFFREY W. SMILES,  
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Respondent.

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**CERTIFICATE OF SERVICE**

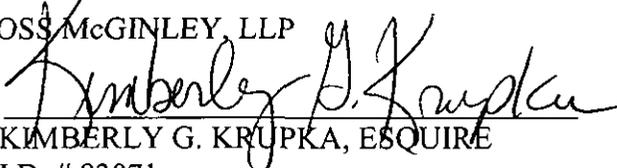
This is to certify that the PETITION TO JOIN AN INDISPENSIBLE PARTY of PPL ELECTRIC UTILITIES CORPORATION was mailed to the parties by first class United States mail, postage on this the 2<sup>nd</sup> day of August, 2010.

JEFFREY W. SMILES  
3049 OCTOGON AVENUE  
SINKING SPRING PA 19608

DOMINION ENERGY  
501 MARTINDALE STREET, SUITE 400  
PITTSBURGH, PA 15212

MX ENERGY  
P O BOX 8127  
STAMFORD CT 06905-8127

GROSS MCGINLEY, LLP

By:   
KIMBERLY G. KRUPKA, ESQUIRE  
I.D. # 83071

Counsel for Defendant, PPL Electric Utilities  
Corporation  
33 South 7<sup>th</sup> Street, P.O. Box 4060  
Allentown, PA 18105  
Phone (610) 820-5450; Fax (610) 820-6006