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September 23, 2010

**By eFiling**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Lola Heiss & Edgar Harrop v. Dominion Retail, Inc.: Docket No. C-2010-2198614**

**MOTION TO JOIN INDISPENSABLE PARTY**

Dear Secretary Chiavetta:

On behalf of Dominion Retail, Inc. d/b/a Dominion Energy Solutions ("DES"), the Respondent in the above-referenced matter, enclosed via eFiling please find the above-referenced pleading.

A copy of this filing is also being served on the Complainant and counsel for PPL Electric Utilities Corporation this date by first-class U.S. Mail.

Pursuant to 52 Pa. Code §5.103(c), a party has 20 days from the date of service within which to answer or object to a motion, unless the period of time is otherwise fixed by the Commission or the presiding officer.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Gary A. Jeffries  
Assistant General Counsel

**Enclosures**

cc: Lola Heiss & Edgar Harrop, 12 New Rd, Elverson, PA 19520  
Paul E. Russell, Esq., PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101-1179

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LOLA HEISS & EDGAR HARROP	)	
	)	
Complainants,	)	
	)	
v.	)	Docket No. C-2010-2198614
	)	
DOMINION RETAIL, INC.	)	
d/b/a DOMINION ENERGY SOLUTIONS	)	
	)	
Respondent	)	

**MOTION TO JOIN INDISPENSABLE PARTY**

NOW comes Dominion Retail, Inc. d/b/a Dominion Energy Solutions (“DES”), the Respondent in the above-referenced proceeding and hereby respectfully files this Motion to Join Indispensable Party whereby DES seeks the joinder of PPL Electric Utilities Corporation (“PPL”) as an indispensable party in this proceeding. In support of this petition, DES avers and states as follows:

1. As set forth in the Answer and New Matter filed by Respondent this date in the instant docket, which is incorporated herein as though fully set forth, Complainant<sup>1</sup> is an electricity commodity customer of DES. Complainant is an electric utility customer of PPL. During the time that Complainant was a DES customer, the billing of DES’s charges to Complainant was performed by PPL which purchases DES’s customer receivables on a dollar-for-dollar basis.

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<sup>1</sup> Edgar Harrop is the customer of record for PPL account number 7563108008. For purposes of this pleading, Lola Heiss (whose relationship with Edgar Harrop is unknown) and Edgar Harrop are referred to collectively as “Complainant”.


2. In paragraph 4 of the Complaint, the Complainant states that he received a notice of utility termination and that he requests a payment agreement. In paragraph 5, he alleges that *“They gave me a budget by phone and don’t stand by agreement then try to shut-off service”*. While unclear, it is likely that the “they” to which Complainant here refers is PPL, not DES, since no such conversation was had with DES’s call center. Moreover, a termination notice would have been rendered by PPL, the utility, not by DES. Finally, only PPL can enter into a payment agreement since it alone handles billing.
3. Given these facts, PPL alone has knowledge and possession of information relevant to Complainant’s allegations concerning budget billing and an attempted service shut off.
4. Accordingly, PPL’s joinder in this matter is indispensable to resolving this matter

**Pursuant to 52 Pa. Code §5.103(c), a party has 20 days from the date of service within which to answer or object to a motion, unless the period of time is otherwise fixed by the Commission or the presiding officer.**

WHEREFORE, for good cause shown, DES respectfully moves the Commission for the joinder of PPL Electric Utilities as an indispensable party in this proceeding.

DOMINION RETAIL, INC.

DATED: September 23, 2010

By:   
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Gary A. Jeffries  
Assistant General Counsel




CERTIFICATE OF SERVICE

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

Lola Heiss & Edgar Harrop  
12 New Rd  
Elverson, PA 19520

Paul E. Russell, Esquire  
PPL Electric Utilities Corporation  
Two North Ninth Street  
Allentown, PA 18101-1179

Dated this 23<sup>rd</sup> day of September, 2010.

  
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Gary A. Jeffries  
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