

MALCOLM J. GROSS
PAUL A. MCGINLEY
HOWARD S. STEVENS
DONALD LaBARRE, JR.
J. JACKSON EATON, III
MICHAEL A. HENRY
PATRICK J. REILLY
ANNE K. MANLEY
SUSAN ELLIS WILD†
VICTOR F. CAVACINI
THOMAS E. REILLY, JR.
STUART T. SHMOOKLER
ROBERT A. ALPERT
ALLEN I. TULLAR
RAYMOND J. DeRAYMOND
THOMAS A. CAPEHART
JOHN F. GROSS
KIMBERLY G. KRUPKA
KIMBERLY A. SPOTTS-KIMMEL

GROSS 
McGINLEY
ATTORNEYS AT LAW

www.grossmcginley.com

Please reply to:
Allentown Office
Kimberly G. Krupka
kkrupka@grossmcginley.com

ERROL C. DEANS, JR. *
ANDREW H. RALSTON, JR.
PETER J. DRUCKENMILLER, JR.
MICHAEL J. BLUM * *
SAMUEL E. COHEN*
EWALDE M. COOK

OF COUNSEL
DAVID C. KEEHN
MICHAEL J. PIOISA

*Also admitted in NY
*Also admitted in NJ
†Also admitted in DC & MD
*Also admitted in MA
◊Also admitted in CT

October 12, 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

OCT 12 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**RE: Patrick & Karen Nicolosi v. PPL Electric Utilities Corporation
No. F-2010-2201170**

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 October 12, 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: Patrick & Karen Nicolosi (w/ enc)
Dominion Energy (w/ enc)
Kimberly A Galligani (w/ enc); *via email*
Karen A. Posten (w/ enc); *via email*

00344144.DOC

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PATRICK & KAREN NICOLOSI,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET

NO. F-2010-2201170

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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) Patrick & Karen Nicolosi
32 McNamara Lane
Tobyhanna, PA 18466
 - b) Dominion Energy
501 Martindale Street, Suite 400
Pittsburgh, PA 15212
3. Complainant owns a residential property located at 32 McNamara Lane,
Tobyhanna, PA 18466

4. Complainant has filed a Complaint docketed in the above-captioned action matter alleging that Dominion Energy improperly transferred his electric generation service from PPL to Dominion.

5. As more fully set forth in PPL's Answer to the Complaint, PPL complied with all notices to transfer Complainant's services to Dominion as 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 it.

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 action.

8. If the Commission was to determine that Complainant was overbilled or improperly transferred to Dominion, such determination would apply to the charges imposed by Dominion Energy.

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


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

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

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 October 12, 2010
In Allentown, Pennsylvania

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
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PATRICK & KAREN NICOLOSI,

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SECRETARY'S BUREAU

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 12th day of October, 2010.

PATRICK & KAREN NICOLOSI
32 MCNAMARA LANE
TOBYHANNA, PA 18466

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

GROSS MCGINLEY, LLP

By:


KIMBERLY G. KRUPKA, ESQUIRE

I.D. # 83071

Counsel for Defendant, PPL Electric Utilities Corporation

33 South 7th Street, P.O. Box 4060
Allentown, PA 18105

Phone (610) 820-5450; Fax (610) 820-6006