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MICHAEL J. PIOSA

*Also admitted in NY
**Also admitted in NJ
†Also admitted in DC & MD
•Also admitted in MA

January 13, 2011

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P O Box 3265, 400 North St
Harrisburg PA 17105-3265

**RE: Margaret Katz and Alan Katz for Michael Katz v PPL Electric Utilities Corporation
No. F-2010-2211384**

Dear Ms. Chiavetta:

Enclosed for filing in the above-captioned matter is the original Motion to Dismiss Complaint, Notice to Plead, and proposed Order of PPL Electric Utilities Corporation.

Also enclosed is an additional copy of this letter. Please date and time-stamp the extra copy of this letter and return it to me in the envelope provided.

Very truly yours,


KIMBERLY G. KRUPKA

KGK/ejm
Enclosures

cc: Margaret & Alan Katz for Michael Katz (w/ enc)
Kimberly A Galligani (w/ enc); *via email*
Hyun Kim-Blout (w/ enc); *via email*
Karen A. Posten (w/ enc); *via email*

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2011 JAN 14 AM 9:26
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SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARGARET KATZ AND ALAN KATZ
for MICHAEL KATZ,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. F-2010-2211384

ORDER

AND NOW, this _____ day of February, 2011, upon consideration of PPL's Motion to Dismiss the Complaint, and any response of Margaret Katz and/or Alan Katz thereto, it is hereby ORDERED that Complainant's Complaint is dismissed.

BY:

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARGARET KATZ AND ALAN KATZ
for MICHAEL KATZ,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

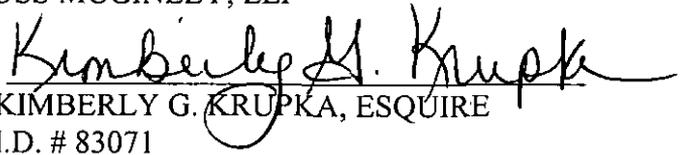
NO. F-2010-2211384

NOTICE TO PLEAD

YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN ANSWER OR OBJECT TO THE ENCLOSED MOTION TO DISMISS COMPLAINT WITHIN TWENTY (20) DAYS FROM THE SERVICE HEREOF OR AN ORDER/JUDGMENT MAY BE ENTERED AGAINST YOU. THE SAME IS HEREBY CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE.

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

Date:

1/13/2011

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARGARET KATZ AND ALAN KATZ
FOR MICHAEL KATZ,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET

NO. F-2010-2211384

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MOTION TO DISMISS COMPLAINT

1. Your Movant is PPL Electric Utilities Corporation (hereinafter "PPL"), the Respondent in the above-referenced matter.
2. The Respondents to this instant Motion are Margaret Katz and Alan Katz, the Complainants in the above-referenced matter.
3. On or about November 16, 2010, Margaret Katz and Alan Katz filed a Complaint with the Public Utility Commission concerning an electric account which is in the name of Michael Katz only.
4. The Complaint in the above-referenced matter was served on PPL on or about November 24, 2010.
5. An Answer to the Complaint was filed by PPL on December 13, 2010.
6. Since the date that PPL has filed its Answer, PPL has learned that neither Margaret Katz nor Alan Katz reside in the property which is being served by the electric account which is the subject of the Complaint, nor do either of the Complainants hold a Power of Attorney for Michael Katz.

7. It is believed, and therefore averred, that Michael Katz is an adult individual. Moreover, Jeffrey L. Gilbert, Esquire, has provided PPL with a copy of a Power of Attorney signed by Michael Katz which names Jeffrey L. Gilbert, as Michael Katz's agent.

8. Alan Katz has informed PPL that neither he, nor Margaret Katz, are the agent(s) for Michael Katz under any existing Power of Attorney.

9. As the account subject to the above-captioned action is in the name of Michael Katz only, and insofar as neither Margaret Katz nor Alan Katz reside in the premises serviced by this account, nor are a legal agent for Michael Katz, neither Margaret Katz nor Alan Katz are authorized to bring a Complaint on Michael Katz's account.

10. While neither the ratepayer, Michael Katz, nor his agent, Jeffrey L. Gilbert, have filed a Complaint with regard to Mr. Katz's electric account, the Complaint docketed at F-2010-2211384 should be dismissed.

WHEREFORE, Movant/Respondent, PPL Electric Utilities Corporation, respectfully requests that the above-captioned action be dismissed.

Respectfully submitted,

GROSS MCGINLEY, LLP

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

Dated: January 13, 2011
In Allentown, Pennsylvania

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARGARET KATZ AND ALAN KATZ
FOR MICHAEL KATZ,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET

NO. F-2010-2211384

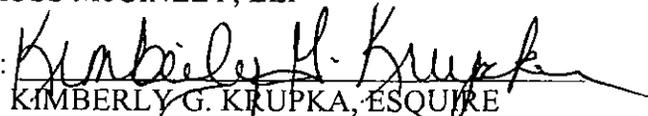
CERTIFICATE OF SERVICE

This is to certify that MOTION TO DISMISS COMPLAINT of PPL ELECTRIC UTILITIES CORPORATION TO THE COMPLAINT OF MARGARET KATZ AND ALAN KATZ FOR MICHAEL KATZ, was mailed to counsel/complainant of record on behalf of Complainant by first class United States mail, postage on this the 13th day of January 2011.

MARGARET KATZ & ALAN KATZ
MICHAEL KATZ
5 WAKEFIELD COURT
MONROE TOWNSHIP, NJ 08831

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

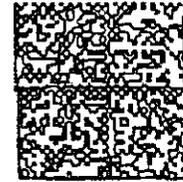
Allentown, PA 18105

Phone (610) 820-5450

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GROSS 
McGINLEY LLP

ATTORNEYS AT LAW
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P. O. BOX 4060
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Harrisburg, PA 17105-3265