

Bridgid M. Good
610 372 4761
bridgid.good@bipc.com

1150 Berkshire Blvd., Suite 210
Wyomissing, PA 19610-1208
T 610 372 4761
www.buchananingersoll.com

November 4, 2011

VIA UPS OVERNIGHT

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

Re: Charles Welsh v. Pennsylvania Power Company
Docket No. C-2011-2256611

Dear Secretary Chiavetta:

Enclosed please find an original and four (4) copies of a Motion for Summary Judgment and Notice to Plead on behalf of Pennsylvania Power Company in the above-captioned proceeding. Copies have been served in accordance with the attached Certificate of Service.

Please return a time-stamped copy in the self-addressed stamped envelope provided. Please contact me with any questions.

Very truly yours,



Bridgid M. Good

BMG/ljs
0078979-000021
Enclosure

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NOV 04 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY

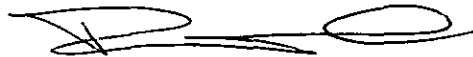
TO: Charles Welsh
302 Mercer
Harmony, PA 16037

Docket No. C-2011-2256611

NOTICE TO PLEAD

You are hereby notified that, if you do not file a written response to the enclosed Motion for Summary Judgment within twenty (20) days from service of this notice, the facts set forth by Pennsylvania Power Company in the Motion for Summary Judgment may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Response to the enclosed Motion for Summary Judgment, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with copies served on all other parties to this proceeding. Failure to respond to the Motion for Summary Judgment could result in the dismissal of your case.

Dated: November 4, 2011



Bridgid M. Good
Jeffrey A. Franklin
BUCHANAN INGERSOLL & ROONEY PC
1150 Berkshire Boulevard, Suite 210
Wyomissing, PA 19610-1208
(610) 372-4761

Counsel for Pennsylvania Power Company

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NOV 04 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RECEIVED

NOV 4 2011

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Docket No. C-2011-2256611

**MOTION FOR SUMMARY JUDGMENT OF PENNSYLVANIA POWER
COMPANY TO DISMISS THE COMPLAINT OF CHARLES WELSH**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, Pennsylvania Power Company ("Penn Power" or the "Company"), by and through its counsel, Bridgid M. Good, Jeffrey A. Franklin, and Buchanan Ingersoll & Rooney PC, files this Motion for Summary Judgment ("Motion") requesting that the Pennsylvania Public Utility Commission ("Commission") dismiss the Complaint filed by Charles Welsh ("Mr. Welsh" or "Complainant") in the above-captioned matter. Penn Power files this Motion pursuant to Section 5.102 of this Commission's regulations, 52 Pa. Code §5.102. In support of its Motion, Penn Power avers as follows:

I. Introduction

1. This Motion requests the dismissal of the Formal Complaint of Mr. Welsh on the basis that, as a matter of law, there is no issue of material fact to be determined by an Administrative Law Judge ("ALJ") because the Commission is prohibited by Section 1405(D) of the Public Utility Code from granting the Complainant the sole prayer for relief in the Formal Complaint, i.e., "an adjusted payment arrangement." Formal Complaint at ¶ 5, 66 Pa.C.S. § 1405(d)

2. The Company understands that the Commission generally disfavors dismissing and/or deciding customer *pro se* formal complaints without providing the

complainant with an opportunity to participate in a hearing. *See Carlock v. The United Tel. Co. of Pa.*, Docket No. F-0063617 (Order entered July 14, 1993). However, the issues presented by the Formal Complaint in this case are solely legal matters with no facts that need to be presented or addressed at a hearing. For all of these reasons, Penn Power urges the Commission to grant this Motion.

II. Factual Background

3. Penn Power is an electric distribution company that is certificated as a public utility in Pennsylvania.

4. On or about July 29, 2011, Mr. Welsh filed a Formal Complaint against Penn Power at the above-captioned docket which was served on Penn Power on August 11, 2011 ("Formal Complaint"). In the Formal Complaint, Mr. Welsh's sole prayer for relief is "an adjusted payment arrangement." Formal Complaint at ¶5, attached hereto as Exhibit 1.

5. Penn Power timely filed its Answer and New Matter on August 31, 2011. Answer and New Matter, attached hereto as Exhibit 2.

6. A hearing has not yet been scheduled in this matter.

III. Discussion

A. Summary Judgment Motion Requirements

7. In accordance with the Commission's regulations at 52 Pa. Code § 5.102 (b), after the pleadings are closed but within such time as to not delay hearing, a party may move for summary judgment based upon the pleadings, depositions, answers to interrogatories, admissions and supporting affidavits. 52 Pa. Code § 5.102 (b).

8. A presiding officer should grant a motion for summary judgment "...if the pleadings, depositions, answers to interrogatories and admissions, together with affidavits, if any, show that there is no genuine issue as to a material fact and that the moving participant is entitled to judgment as a matter of law." 52 Pa. Code § 5.102 (b).

9. When deciding whether a motion for summary judgment should be granted the court must examine the record in the light most favorable to the non-moving party and all doubts as to the existence of a genuine issue of material fact must be resolved in favor of the non-moving party. See *Sanchez v. Phila. Housing Auth.*, 611 A.2d 346 (Pa. Cmwlth. 1992); *South River Power Partners, L.P. v. West Penn Power Co.*, 1996 Pa. PUC LEXIS 175.

10. However, a complainant may not simply rely upon the allegations made in his formal complaint, but rather must demonstrate that there are specific facts which present a genuine issue for trial. See *Fiffick v. GAF Corp.*, 603 A.2d 208 (Pa. Super. 1991).

B. The Commission is Prohibited under Chapter 14 of the Public Utility Code from Awarding the Requested Relief.

11. The Complainant receives residential retail electric service from Penn Power at 302 Mercer Road, Harmony, Pennsylvania, 16037 ("Service Location") at Account No. 110005324907 ("Account"). Dietrich Affidavit at ¶4, attached hereto as Exhibit 3.

12. According to paragraphs 4 and 5 of the Formal Complaint, the Complainant's sole prayer for relief is an adjusted payment agreement. See Exhibit 1, ¶¶ 4 and 5.

13. The Complainant's payment history with Penn Power at the Service Location is poor, including failing to adhere to nine payment agreements with the Company in the past two years. The Complainant has attempted to make five payments on his electric service account for the Service Location in the past two years. Two payments were returned to the Complainant because the bank account provided could not be found, and three payments were processed and applied to the Complainant's electric service account for the Service Location. Exhibit 3, ¶¶5 and 6.

14. On May 6, 2011, the Commission's Bureau of Consumer Services ("BCS") issued a decision on the Informal Complaint establishing a payment arrangement for the Complainant beginning in June 2011 based upon monthly budgeted bills of \$252.00 plus \$466.00 per month towards his overdue balance, for a total monthly payment of \$718.00 ("Payment Agreement"). Exhibit 3, ¶¶7 and 8.

15. Under the terms of the Commission-approved Payment Agreement, the Complainant was required to begin making payments to the Company with the June 2011 bill. The outstanding amount subject to the Payment Agreement was \$11,192.00. At the time of establishment of the Payment Agreement, the Complainant's income Level was a level 2.¹ Exhibit 3, ¶¶ 9 and 10.

16. The Complainant breached the Payment Agreement by failing to make monthly payments to the Company by the June 2011 bill due date of June 20, 2011. Exhibit 3, ¶¶8 and 10. Indeed, the Complainant has made no payments on his electric service account for the Service Location since June 25, 2010 - over one year ago.

¹ In accordance with the Federal Poverty Guidelines, a household size of 4 with an income between \$2,795 and \$3,725 per month is considered a Level 2 income. 52 Pa. Code §§69.261 et. seq. ; *Penn Power Universal Service Program, Updated Plan Filing for Program Years 2009, 2010 and 2011* dated February

17. Chapter 14 of the Public Utility Code, entitled "Responsible Utility Customer Protection," is intended to require customers to more successfully manage utility bill payments and to keep unpaid utility accounts at a lower amount in order to protect all customers from rate increases. 66 Pa. C.S. § 1402.

18. In order to accomplish this goal, Chapter 14 limits the number of payment agreements a utility service customer can obtain from the Commission absent a change in income

Absent a change in income, the Commission shall not establish or order a public utility to establish a second or subsequent payment agreement if a customer has defaulted on a previous payment agreement. A public utility may, at its discretion, enter into a second or subsequent payment agreement with a customer.

66 Pa.C.S. § 1405(D).

19. Under the Public Utility Code Section 1405, 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 of 10% or more if the customer's household income level is 200% or less of the federal poverty level. 66 Pa. C.S. § 1405.

20. Here, the Complainant has breached a prior Commission-approved payment agreement and has not alleged in his Formal Complaint any "change in income" as defined by the Section 1405. As of February 2, 2011, the Company last verified the

8, 2008; and 66 Pa. C.S. §§1401, et seq. The poverty guidelines are updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. § 9902(2).

Complainant's monthly income as \$3,575.02. Indeed, the Company attempted to verify the Complainant's income on April 22, 2011 and again July 25, 2011, but the Complainant refused to provide this information to the Company. Exhibit 2, ¶¶4(B)(2)and 17; Exhibit 3, ¶9 .

21. The current outstanding balance on the Complainant's Account for the Service Location is \$11,831.95. Exhibit 2, ¶20; Exhibit 3, ¶10 .

22. The above allegations were included as part of the Company's New Matter filed with the Commission on August 31, 2011. This New Matter included a Notice to Plead advising the Complainant that he had twenty (20) days to file a response or the facts may be deemed true. Complainant filed no response denying these facts. Thus, said allegations shall be deemed admitted without further proof. 52 Pa. Code §5.63.

23. Therefore, the Commission is prohibited from granting the Complainant another payment agreement as requested in the Formal Complaint and, as a matter of law, the Complaint should be dismissed accordingly.

24. Furthermore, since Complainant's payment history is so poor - i.e., *nine* broken payments agreements and only three successful payments to his Account in the past two years - as a matter of policy he should not be afforded another payment arrangement. Exhibit 3, ¶ 5.

25. Therefore, based on the above, there is no genuine issue of material fact requiring a hearing because the Commission is prohibited from granting the sole relief requested in the above Formal Complaint – another payment agreement - as a matter of law. Accordingly, the Motion should be granted and the Formal Complaint dismissed.

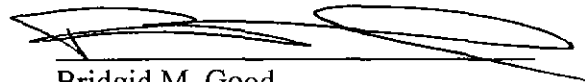
IV. Conclusion

26. For the reasons stated above, the attached documents, and applicable law, there is no genuine issue of fact requiring a hearing in this proceeding and the Company is entitled to relief as a matter of law.

WHEREFORE, Pennsylvania Power Company respectfully requests that the Commission grant this Motion for Summary Judgment, dismiss the Formal Complaint with prejudice, and grant such other relief as is just and reasonable.

Respectfully submitted,

Dated: November 4, 2011



Bridgid M. Good
Buchanan Ingersoll & Rooney PC
1150 Berkshire Blvd. Suite 210
Reading, Pa 19610-1221
(610) 372-4761

Attorneys for
Pennsylvania Power Company

RECEIVED

NOV 4 2011

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

Exhibit "1"

RECEIVED

NOV 4 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

COPY

DATE SERVED: AUGUST 11, 2011

C-2011-2256611

PENNSYLVANIA POWER COMPANY
C/O LEILA L VESPOLI
SR VICE PRESIDENT AND GENERAL COUNSEL
FIRST ENERGY CORPORATION
76 SOUTH MAIN STREET
AKRON OH 44308-1890

Dear Ms. Vespoli:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by CHARLES WELSH. To defend yourself against the claims stated in the complaint, you must respond within twenty (20) days of the above date served by filing with the Commission, in writing, an Answer in accordance with 52 Pa. Code Section 5.61, either personally or through your attorney. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days of the above date served.

IF YOU FAIL TO ANSWER THE COMPLAINT WITHIN TWENTY (20) DAYS OF THE ABOVE DATE SERVED, THE CLAIMS AGAINST YOU MAY BE DEEMED ADMITTED, THE CASE MAY GO FORWARD IN YOUR ABSENCE, AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

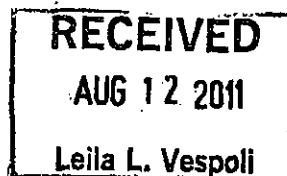
CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

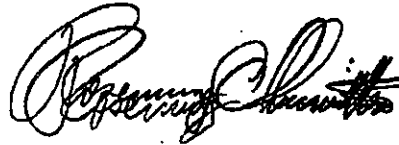


AUGUST 11, 2011

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is stylized with large, flowing letters and a prominent flourish at the end.

Rosemary Chiavetta
Secretary

JB

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: AUGUST 11, 2011

CHARLES WELSH
Complainant

v.

PENNSYLVANIA POWER COMPANY
Respondent

Complaint Docket
No: C-2011-2256611

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PENNSYLVANIA POWER COMPANY

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. **The date served is the mailing date appearing at the top of this Notice.** Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

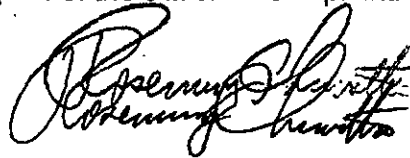
2. If you fail to either satisfy or settle this complaint, or to file an answer or other responsive pleading within twenty (20) days of the date served, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq. If you are a customer of a utility, an order may be entered which prescribes a

payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy or settle this complaint, you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq. If you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq. If you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



Rosemary Chiavetta
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

COPY

PENNSYLVANIA PUBLIC UTILITY COMMISSION

C-2011-2256611

Formal Complaint Form

RECEIVED

AUG 08 2011

Please print in ink or type.

1. CUSTOMER (COMPLAINANT) INFORMATION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Your name, mailing address, county, telephone number, utility account number and service address:

Name CHARLES WELSH

Street/P.O. Box 302 MERCER Apt # _____

City Harmony State PA Zip 16037

County Butler

Daytime Telephone Number Where We Can Contact You: (724) 709-9865

E-mail Address (optional): _____

Utility Account Number _____
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

PENN POWER

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE
(local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER
(e.g., taxi, moving company, limousine)

4. **COMPLAINT** (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other (explain).

B. State the facts of your complaint.

Include any specific dates, times or places that may be important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

I am seeking a more
equitable payment arrangement
one that I can reasonably
afford.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility **AND** your complaint is about a billing problem, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety or welfare?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES (includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address, telephone number, and e-mail address, if known.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (If Known) _____

9. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: I Charles Welsh, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

[Signature] (Signature) 7-29-11 (Date)

Title of authorized employee or officer

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
---	--

Atty. Melina Stawson

Facsimiles and/or electronic filings of the complaint will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

Exhibit "2"

RECEIVED

NOV 4 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Bridgid M. Good
610 372 4761
bridgid.good@bipc.com

1150 Berkshire Blvd., Suite 210
Wyomissing, PA 19610-1208
T 610 372 4761
www.buchananingersoll.com

August 31, 2011

VIA UPS

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

Re: Charles Welsh v. Pennsylvania Power Company
Docket No. C-2011-2256611

Dear Secretary Chiavetta:

Enclosed please find an original and three (3) copies of an Answer and New Matter and Notice to Plead on behalf of Pennsylvania Power Company in the above-captioned proceeding. Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,



Bridgid M. Good

BMG/lds
0078979-000021
Enclosure

bc: Dara Krauss

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY

:
:
:
:
:

Docket No. C-2011-2256611

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Answer and New Matter and Notice to Plead on behalf of Pennsylvania Power 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:

Charles Welsh
302 Mercer
Harmony, PA 16037

Dated: August 31, 2011



Bridgid M. Good
Jeffrey A. Franklin
BUCHANAN INGERSOLL & ROONEY PC
(formerly Ryan, Russell, Ogden & Seltzer P.C.)
1150 Berkshire Boulevard, Suite 210
Wyomissing, Pennsylvania 19610-1208
(610) 372-4761

Attorneys for
Pennsylvania Power Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY

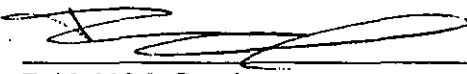
TO: Charles Welsh
302 Mercer
Harmony, PA 16037

Docket No. C-2011-2256611

NOTICE TO PLEAD

You are hereby notified that, if you do not file a written response to the enclosed New Matter within twenty (20) days from service of this notice, the facts set forth by Pennsylvania Power Company in the New Matter may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Response to the enclosed New Matter, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with copies served on all other parties to this proceeding. Failure to respond to the New Matter could result in the dismissal of your case.

Dated: August 31, 2011


Bridgid M. Good
Jeffrey A. Franklin
BUCHANAN INGERSOLL & ROONEY PC
1150 Berkshire Boulevard, Suite 210
Wyomissing, PA 19610-1208
(610) 372-4761

Counsel for Pennsylvania Power Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY

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:
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:
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Docket No. C-2011-2256611

**ANSWER AND NEW MATTER OF PENNSYLVANIA POWER COMPANY
TO THE COMPLAINT OF CHARLES WELSH**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, Pennsylvania Power Company ("PennPower" or the "Company"), by and through its counsel, Bridgid M. Good, Jeffrey A. Franklin and Buchanan Ingersoll & Rooney PC, answers the above Complaint pursuant to Section 5.61 of this Commission's regulations, 52 Pa. Code § 5.61, as follows:

1. Admitted. It is admitted that PennPower provides residential retail electric service to the Complainant at 302 Mercer Road, Harmony, Pennsylvania 16037 at Account No. 110005324907 ("Service Location").

2. Admitted. It is admitted that the Complaint concerns PennPower.

3. Admitted. It is admitted that PennPower provides residential retail electric service to the Service Location.

4(A). Denied. The allegation requesting a payment arrangement constitutes a prayer for relief to which no responsive pleading is required. As to the remaining allegations, after reasonable investigation, the Company is without information or knowledge sufficient to form a belief regarding what is meant by "Other (explain)" and demands proof thereof, if relevant, at hearing.

4(B). For purposes of this Answer, the relevant sentences appearing in paragraph 4(B) of the Formal Complaint Form are answered as follows:

1) I am seeking a more equitable payment arrangement.

Denied. To the extent the allegations in this sentence are not deemed to constitute a prayer for relief to which no responsive pleading is required, they are denied. By way of further answer, over the past two years, the Complainant has had nine (9) payment arrangements with the Company and has failed to comply with any of them. Furthermore, the Complainant has attempted to make five (5) payments on his electric service account for the Service Location in the past two years. Two (2) payments were returned to the Complainant because the bank account provided was not found, and three (3) payments were processed and applied to the Complainant's electric service account for the Service Location. The outstanding balance on the electric service account for the Service Location is \$11,831.95.

2) One that I can reasonably afford.

Denied. After reasonable investigation, the Company is without information or knowledge sufficient to form a belief regarding the truth of what the Complainant can afford and demands proof thereof, if relevant, at hearing. By way of further answer, it is averred that the Complainant's monthly income is \$3,575.02 which was last verified on February 2, 2011. Indeed, it is further averred that the Company attempted to verify the Complainant's income on April 22, 2011 and July 25, 2011, but the Complainant refused to provide this information to the Company.

5. Denied. The allegations contained in this paragraph constitute a prayer for relief to which no responsive pleading is required. However, it averred that the Complainant agreed to nine (9) payment arrangements with the Company in the last two years and he has failed to comply with the terms of any of these arrangements. Based on

this history, it is averred that he should not be granted another payment arrangement, but should be ordered to pay his outstanding balance in full.

6. Denied. After reasonable investigation, PennPower is without information or knowledge sufficient to form a belief regarding whether or not a Protection from Abuse order has been granted in favor of this Complainant and demands proof thereof, if relevant, at hearing.

7. Admitted. It is admitted that the Complainant has contacted PennPower to discuss his concerns regarding his inability to pay his electric service bills for the Service Location. It is further averred that, on May 3, 2011, the Complainant filed an Informal Complaint, Case No. 2825624 ("Informal Complaint") with the Pennsylvania Public Utility Commission ("PUC") Bureau of Consumer Services ("BCS") alleging an inability to pay his electric service bills. On May 6, 2011, the BCS issued a decision in connection with the Informal Complaint establishing a payment arrangement for the Complainant beginning in June 2011 for him to pay budget bills of \$252.00 plus \$466.00 towards his overdue balance, for a total monthly payment of \$718.00. To date, the Company has received no payments from the Complainant in compliance with this payment arrangement.

8. Denied. After reasonable investigation, PennPower is without information or knowledge sufficient to form a belief regarding the truth of the averments contained in this paragraph and demands proof thereof, if relevant, at hearing.

9. Not applicable.

10. Not applicable.

NEW MATTER

11. Paragraphs 1-10 of this Answer are incorporated by reference as if fully set forth herein.

12. The Complainant's payment history with Penn Power at the Service Location is poor, including failing to adhere to nine (9) payment agreements with the Company in the past two years. The Complainant has attempted to make five (5) payments on his electric service account for the Service Location in the past two years. Two (2) payments were returned to the Complainant because the bank account provided could not be found, and three (3) payments were processed and applied to the Complainant's electric service account for the Service Location.

13. On May 6, 2011, the BCS issued a decision on the Informal Complaint establishing a payment arrangement for the Complainant beginning in June 2011 based upon monthly budget bills of \$252.00 plus \$466.00 towards his overdue balance, for a total monthly payment of \$718.00 ("Payment Arrangement").

14. Under the terms of the Commission-approved Payment Arrangement, the Complainant was required to begin making payments with the June 2011 bill. The outstanding amount subject to the Payment Arrangement was \$11,192.00. At the time of the Payment Arrangement, the Complainant's income level was a level 2¹.

15. The Complainant breached the Payment Arrangement by failing to make monthly payments by the June 2011 bill due date of June 20, 2011. Indeed, the Complainant has made no payments on his electric service account for the Service Location since June 25, 2010.

¹ In accordance with the Federal Poverty Guidelines, a household size of 4 with an income between \$2,795 - \$3,725 is considered a Level 2 income.

16. 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 of 10% or more if the customer's household income level is 200% or less of the federal poverty level. *66 Pa. C.S §1405*.

17. Here, Complainant has breached a prior Commission-approved payment arrangement and has not alleged in his Formal Complaint any "change in income" as defined by the Code. As of February 2, 2011, the Company last verified the Complainant's monthly income as \$3,575.02. Indeed, the Company attempted to verify the Complainant's income on April 22, 2011 and July 25, 2011, but the Complainant refused to provide this information to the Company.

18. Therefore, the Commission does not have jurisdiction to grant the Complainant another payment arrangement as requested in the Formal Complaint, and the Complaint should be dismissed accordingly.

19. Furthermore, where Complainant's payment history is so poor - i.e., *nine* broken payments arrangements and only three successful payments to his electric service account in the past two years - as a matter of policy he should not be afforded another payment arrangement.

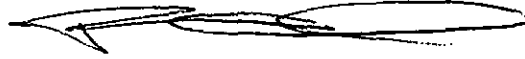
20. The current outstanding balance on the Complainant's electric service account for the Service Location is \$11,831.95.

21. At all times relevant to this Complaint, the Company acted reasonably, appropriately and in accordance with the Public Utility Code, the Commission's regulations and its Commission-approved tariff.

WHEREFORE, Pennsylvania Power Company hereby requests that the Complaint of Charles Welsh be dismissed with prejudice and the Commission grant the Company such other relief as is just and reasonable under the circumstances.

Respectfully submitted,

Dated: August 31, 2011

A handwritten signature in black ink, appearing to be "Jeffrey A. Franklin", written over a horizontal line.

Bridgid M. Good
Jeffrey A. Franklin
BUCHANAN INGERSOLL & ROONEY
1150 Berkshire Boulevard, Suite 210
Wyomissing, Pennsylvania 19610-1208
(610) 372-4761

Attorneys for
Pennsylvania Power Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY
Respondent

Case No. C-2011-2256611

VERIFICATION

I, Christine Evanna, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect Pennsylvania Power Company to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904.

8/31/2011
Date

Christine Evanna

Exhibit "3"

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY

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:
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:
:
:

Docket No. C-2011-2256611

**AFFIDAVIT OF GINA DIETRICH IN SUPPORT OF
PENN POWER'S MOTION FOR SUMMARY JUDGMENT**

Gina Dietrich, being duly sworn according to law, deposes and says the following:

1. My name is Gina Dietrich and my business address is 2800 Pottsville Pike, Reading, Pennsylvania.

2. I am employed by FirstEnergy as a Business Analyst.

3. As a Business Analyst, I am responsible for researching and responding to informal and formal Public Utility Commission complaints.

4. Charles Welsh ("Complainant") receives residential retail electric service from Penn Power at 302 Mercer Road, Harmony, Pennsylvania, 16037 ("Service Location") at Account No. 110005324907 ("Account").

5. The Complainant's payment history with Penn Power at the Service Location is poor, including failing to adhere to nine payment agreements with the Company in the past two years.

6. The Complainant has attempted to make five payments on his electric service account for the Service Location in the past two years. Two payments were returned to the Complainant because the bank account provided could not be found, and three payments were processed and applied to the Complainant's electric service account

for the Service Location. A copy of the Complainant's Account statement is attached hereto as Exhibit A.

7. On May 3, 2011, the Complainant filed an Informal Complaint with the Pennsylvania Public Utility Commission's ("Commission") Bureau of Consumer Services ("BCS") requesting a payment arrangement due to his inability to pay his electric service bills.

8. On May 6, 2011, the BCS issued a decision on the Informal Complaint establishing a payment arrangement for the Complainant beginning in June 2011 based upon monthly budgeted bills of \$252.00 plus \$466.00 towards his overdue balance, for a total monthly payment to the Company of \$718.00 ("Payment Agreement"). A copy of the BCS decision is attached hereto as Exhibit B.

9. Under the terms of the Commission-approved Payment Agreement, the Complainant was required to begin making payments to the Company with the June 2011 bill.

10. At the time of the Commission-approved Payment Agreement, the outstanding amount subject to the Payment Arrangement was \$11,192.00 and the Complainant's income level was a Level 2¹. *See* Exhibit B.

11. The Complainant breached the Payment Agreement by failing to make monthly payments by the June 2011 bill due date of June 20, 2011. *See* Exhibit A.

12. On February 2, 2011, the Company verified the Complainant's monthly income to be \$3,575.02.

¹ In accordance with the Federal Poverty Guidelines, a household size of 4 with an income between \$2,795 and \$3,725 per month is considered a Level 2 income.

13. The Company attempted to verify the Complainant's income on April 22, 2011 and again July 25, 2011, but the Complainant refused to provide this information to the Company.

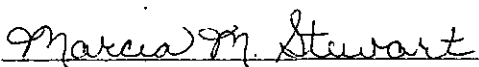
14. The current outstanding balance on the Account for the Service Location is \$11,831.95.

I am authorized to submit this affidavit for and on behalf of Pennsylvania Power Company and represent that the facts set forth herein are true and correct to the best of my knowledge, information and belief.



GINA DIETRICH

Sworn and subscribed before me this 3RD
day of November, 2011.



Notary Public

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NOV 04 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

My Commission expires on: Aug. 29, 2015

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marcia M. Stewart, Notary Public
Muhlenberg Twp., Berks County
My Commission Expires Aug. 29, 2015
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Exhibit "A"

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



DETAILED STATEMENT OF ACCOUNT

Customer Name: CHARLES J WELSH

Account Number: 110005324907

Service Address:

302 MERCER RD
HARMONY PA 16037

Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Type	Account Balance
09/01/09	09/01/09	KWH	64,148	979	29	34	Act	146.51		146.51	208.00	09/22/09				5,442.84
		KW	9.00	9.00			Act									
		BILL KW		9.00												
10/01/09	10/01/09	KWH	65,181	1,033	30	34	Est	141.15		141.15	208.00	10/22/09				5,583.99
		KW	9.50	9.50			Est									
		BILL KW		9.50												
Installment plan deactivated on 10/12/2009 - Installment Plan In Arrears. Installment plan started on 10/12/2009 for current + 96.00.																
10/15/09													-275.00			5,308.99
10/31/09	10/30/09	KWH	67,686	2,505	29	86	Act	291.45		291.45	191.00	11/23/09				5,600.44
		KW	13.00	13.00			Act									
		BILL KW		13.00												
12/01/09	12/01/09	KWH	70,563	2,877	32	90	Act	322.38		322.38	191.00	12/22/09				5,922.82
		KW	13.00	13.00			Act									
		BILL KW		13.00												
12/31/09	12/31/09	KWH	73,260	2,697	30	90	Est	285.96		285.96	191.00	01/25/10				6,208.78
		KW	12.00	12.00			Est									
		BILL KW		12.00												
02/01/10	01/29/10	KWH	81,816	8,556	29	295	Act	831.58		831.58	214.00	02/22/10				7,040.36
		KW	18.00	18.00			Act									
		BILL KW		18.00												
03/03/10	03/02/10	KWH	87,916	6,100	32	191	Est	584.87		584.87	214.00	03/24/10				7,625.23
		KW	10.00	10.00			Est									
		BILL KW		10.00												
03/08/10													-500.00			7,125.23
03/11/10													500.00			7,625.23
Payment Returned -Account not Found Installment plan deactivated on 03/24/2010 - Installment Plan In Arrears. Installment plan started on 03/24/2010 for current + 99.00.																

Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Type	Account Balance
03/24/10													-500.00			7,125.23
03/26/10													500.00			7,625.23
Payment Returned -Account Number not Found Installment plan deactivated on 03/29/2010 - Installment Plan In Arrears. Installment plan started on 03/29/2010 for current + 117.33.																
03/30/10													-500.00			7,125.23
03/30/10	03/30/10	KWH	92,277	4,361	28	156	Act	531.06		531.06	214.00	04/07/10				7,656.29
		KW	18.00	18.00			Act									
		BILL KW		18.00												
04/29/10	04/29/10	KWH	94,736	2,459	30	82	Act	313.39		313.39	655.00	05/20/10				7,969.68
		KW	12.00	12.00			Act									
		BILL KW		12.00												
Bill reversed on 05/13/2010.																
05/13/10														-313.39	REV	7,656.29
Reversal of 04/29/2010 bill.																
05/13/10	04/29/10	KWH	94,736	2,459	30	82	Act	313.39		313.39	655.00	06/02/10				7,969.68
		KW	12.00	12.00			Act									
		BILL KW		12.00												
05/29/10	05/28/10	KWH	96,413	1,677	29	58	Act	237.29		237.29	655.00	06/21/10				8,206.97
		KW	12.00	12.00			Act									
		BILL KW		12.00												
Installment plan deactivated on 06/24/2010 - Installment Plan In Arrears. Installment plan started on 06/24/2010 for current + 312.00.																
06/25/10													-580.00			7,626.97
06/28/10	06/28/10	KWH	97,504	1,091	31	35	Act	147.60		147.60	655.00	07/19/10				7,774.57
		KW	10.00	10.00			Act									
		BILL KW		10.00												
07/31/10	07/30/10	KWH	98,630	1,126	32	35	Est	150.43		150.43	343.00	08/23/10				7,925.00
		KW	10.00	10.00			Est									
		BILL KW		10.00												
08/30/10	08/27/10	KWH	99,866	1,236	28	44	Act	164.69		164.69	343.00	09/20/10				8,089.69
		KW	9.50	9.50			Act									
		BILL KW		9.50												
09/28/10	09/28/10	KWH	1,005	1,139	32	36	Act	145.61		145.61	343.00	10/19/10				8,235.30
		KW	11.00	11.00			Act									
		BILL KW		11.00												
10/28/10	10/28/10	KWH	2,073	1,068	30	36	Est	136.13		136.13	331.00	11/18/10				8,371.43
		KW	13.00	13.00			Est									
		BILL KW		13.00												
Installment plan deactivated on 11/22/2010 - Installment Plan In Arrears. Installment plan started on 11/22/2010 for current + 380.00.																

Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Type	Account Balance
11/29/10	11/29/10	KWH	7,079	5,006	32	156	Act	540.62		540.62	331.00	12/20/10				8,912.05
		KW	14.00	14.00			Act									
		BILL KW		14.00												
12/27/10	12/27/10	KWH	12,767	5,688	28	203	Act	526.19		526.19	331.00	01/18/11				9,438.24
		KW	16.50	16.50			Act									
		BILL KW		16.50												
01/26/11	01/26/11	KWH	19,285	6,518	30	217	Act	576.73		576.73	381.00	02/16/11				10,014.97
		KW	19.00	19.00			Act									
		BILL KW		19.00												
Installment plan deactivated on 02/22/2011 - Installment Plan In Arrears.																
Installment plan started on 02/22/2011 for current + 424.00.																
02/28/11	02/28/11	KWH	25,478	6,193	33	188	Est	526.80		526.80	381.00	03/21/11				10,541.77
		KW	10.00	10.00			Est									
		BILL KW		10.00												
03/28/11	03/28/11	KWH	29,697	4,219	28	151	Act	455.44		455.44	381.00	04/18/11				10,997.21
		KW	18.00	18.00			Act									
		BILL KW		18.00												
04/27/11	04/27/11	KWH	32,543	2,846	30	95	Act	314.73		314.73	252.00	05/18/11				11,311.94
		KW	14.00	14.00			Act									
		BILL KW		14.00												
Installment plan deactivated on 05/03/2011 - Pending Commission Complaint.																
Installment plan started on 05/06/2011 for current + 466.00.																
05/28/11	05/27/11	KWH	34,117	1,574	30	52	Act	183.70		183.70	252.00	06/20/11		33.18	LPC	11,528.82
		KW	10.00	10.00			Act									
		BILL KW		10.00												
06/28/11	06/28/11	KWH	35,258	1,141	32	36	Act	132.02		132.02	252.00	07/19/11		43.95	LPC	11,704.79
		KW	9.00	9.00			Act									
		BILL KW		9.00												
07/30/11	07/29/11	KWH	36,364	1,106	31	36	Est	127.16		127.16	327.00	08/22/11				11,831.95
		KW	10.00	10.00			Est									
		BILL KW		10.00												
Installment plan deactivated on 08/15/2011 - Pending Commission Complaint.																

Exhibit "B"

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

Closing Data Report Case # 2825624
Company Name: PENNSYLVANIA POWER COMPANY

Customer Information

First Name: CHARLES Last Name: WELSH

Account Number: 110005324907

Service Address

Address 1: 302 MERCER RD

Address 2:

City: HARMONY State: PA

Postal Code: 16037-

Home Phone: ()- Work Phone: ()-

Mailing Address

Address 1:

Address 2:

City: State:

Postal Code: -

Family

Adults: Family Size:

Children: Age:

General

Date Opened: 05/03/2011 Received Date: 05/06/2011

Date Closed: 05/06/2011

Complete in SAP: Yes Date: 05/06/2011
Complete in SAP:

Assigned To:

Assigned To: Gina Dietrich/FirstEnergy

Case Information

Decision Issue: Y	Oral Written: W
Violation: NO	Chapter:
Section Rule:	
Balance Date: 05/06/2011	Head Date: 05/10/2011
Bill Date:	Serv. Continue Date:
Total Balance: \$11,192.00	Serv. Restore Pay:
Sp. Budget Amt.: \$718.00	Rg. Budget Amt.: \$252.00
Serv. Continue Amt.	Arrears Pay Plus: \$466.00
Final Montly Pay:	Current Montly Pay:
End Monthly Pay:	Reconnect Amt.: \$0.00
Pay Amt.:	
Terms: JUNE 2011 DUE DATE	
Paragraph:	
Letter Desc: EGW STRAIGHT PAR/BUDGET + FOR LEVEL 2-4 HOUSEHOLDS	
Resolution: LEVEL 2, BB 252.00 + 466.00 = 718.00 BEGINNING JUNE 2011.	

Other Info

BCS Inv. First BUREAU OF Name:	BCS Inv. CONSUMER SERVICE Last Name:
BCS Invest. ()- Phone:	BCS Fax: (717)-7876641
BCS. Int First Name:	BCS. Int Last Name:

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLES WELSH

v.

PENNSYLVANIA POWER COMPANY

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Docket No. C-2011-2256611

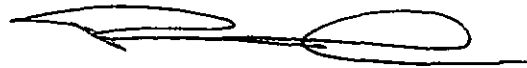
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Motion for Summary Judgment and Notice to Plead on behalf of Pennsylvania Power 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:

Charles Welsh
302 Mercer
Harmony, PA 16037

Dated: November 4, 2011



Bridgid M. Good
Jeffrey A. Franklin
BUCHANAN INGERSOLL & ROONEY PC
1150 Berkshire Boulevard, Suite 210
Wyomissing, Pennsylvania 19610-1208
(610) 372-4761

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NOV 04 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Attorneys for
Pennsylvania Power Company

UPS CampussShip: View/Print Label

1. **Print the label(s):** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
2. **Fold the printed label at the solid line below.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. GETTING YOUR SHIPMENT TO UPS

Customers without a Daily Pickup

Schedule a same day or future day Pickup to have a UPS driver pickup all your CampussShip packages.

Hand the package to any UPS driver in your area.

Take your package to any location of The UPS Store®, UPS Drop Box, UPS Customer Center, UPS Alliances (Office Depot® or Staples®) or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampussShip and select UPS Locations.

Customers with a Daily Pickup

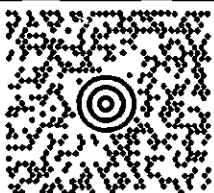
Your driver will pickup your shipment(s) as usual.

FOLD HERE

STEWART LAURA D. 3 LBS PAK 1 OF 1
(610) 372-4761 4761
BUCHANAN INGERSOLL & ROONEY PC
ONE SOUTH MARKET SQUARE
HARRISBURG PA 17101

SHIP TO:

ROSEMARY CHIAVETTA, SECRETARY
PA PUBLIC UTILITY COMMISSION
SECOND FLOOR
400 NORTH STREET
COMMONWEALTH KEYSTONE BUILDING
HARRISBURG PA 17120-0093



PA 171 9-20



UPS NEXT DAY AIR

1

TRACKING #: 1Z VE5 478 01 9516 0434



BILLING: P/P

Timekeeper Name: B. Good
C/M #: 0078979-000021

CS 13.6.08. WXP1E70 21.0A 10/2011



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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU