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February 13, 2012

VIA FEDERAL EXPRESS

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

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FEB 13 2012

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**RE: Mimose Innocent v. PPL Electric Utilities Corporation
No. F-2010-2184996**

Dear Ms. Chiavetta:

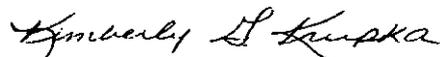
Enclosed for filing in the above-captioned matter are an original and nine (9) copies of the Reply of PPL Electric Utilities Corporation to Complainant, Mimose Innocent's Exceptions, along with the attached Certificate of Service.

Pursuant to 52 Pa. Code §1.11, the enclosed document is to be deemed filed on or before February 13, 2012.

I am also enclosing an extra copy of PPL's Reply. Please time-stamp this copy and return it to my office in the envelope provided.

Thank you for your cooperation in this matter.

Very truly yours,



KIMBERLY G. KRUPKA

KGK/dm
Enclosures

cc: Mimose Innocent (w/enclosure)
The Honorable Ember S. Jandebour (w/enclosure-via FedEx)
Ms. Kimberly A Galligani (w/encl); *via email only*

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33 South Seventh Street, P.O. Box 4060, Allentown, PA, 18105-4060 Telephone 610/820-5450 Fax 610/820-6006

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MIMOSE INNOCENT,
COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,
RESPONDENT.

COMPLAINT DOCKET
NO. F-2010-2184996

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**PPL ELECTRIC UTILITIES CORPORATION'S REPLIES TO EXCEPTIONS
OF COMPLAINANT**

AND NOW comes the Respondent, PPL Electric Utilities Corporation ("PPL"), by and through its attorneys of record, Gross McGinley, LLP, and files the within Replies to Exceptions, alleging in support thereof as follows:

1. Denied.¹ Complainant fails to set forth her Exceptions in numbered paragraphs, and further fails to identify with particularity either specific Findings of Fact or conclusions of Law to which she excepts. Nonetheless, it appears that Complainant's first Exception is that "PPL introduced to me a supplier that was charging me a huge lump sum of money every month on one side, while PPL was still charging me on a monthly basis for my electricity bill too (sic) which brought my bill to this point." Such exception is beyond the scope of Complainant's Complaint, and outside of the testimony provided at trial. Complainant's Complaint alleges solely, "4A. I received a notice that my utility service is being terminated." and "4.B. My Electric bill is too high. I cannot pay the amount they request. I need a much lower payment, and some times (sic) to pay

¹ Complainant fails to set forth her Exceptions in numbered paragraphs. However, it appears that Ms. Innocent is raising two issues. Therefore, PPL will address each separately.

it.” Complainant never asserted a Complaint pertaining to PPL’s alleged “introduction” to a supplier, or any improper billing by PPL. Moreover, Complainant provided no testimony during the hearing to support any allegations of improper introduction of Complainant to an Electric Generation Supplier, or other improper billing. Accordingly, such Exception should be dismissed.

Should the Commission decide that review of PPL’s billing is proper, PPL contends there is no evidence of record to support Complainant’s allegations. Complainant provided no testimony or documentary evidence that PPL engaged in any improper actions with regard to Complainant’s selection of an Electric Generation Supplier. Rather, it appears that Complainant may be concerned that she receives a bill that contains charges from her Electric Generation Supplier (Con Edison Solutions) as well as distribution charges from PPL. (See PPL Exhibit 1). In fact, Complainant’s argument is essentially that PPL is acting in compliance with 52 Pa.Code. § 54.4. EDC charges must appear separately from EGS charges. In so much as Complainant chose an alternative generation supplier, her bill correctly includes charges from Con Edison which are separately delineated from the charges of PPL.

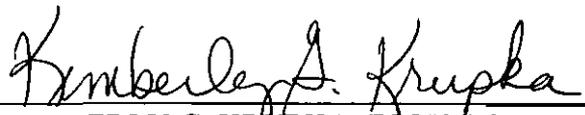
2. Denied. It appears that Complainant’s second exception is that as the “head of household with one income to provide for my family, I will need more time to pay for that huge electricity bill. One year is too short to make that kind of a payment, I need more time . . .” Complainant does not dispute the Administrative Law Judge’s finding that her household size is one adult (Complainant herself) plus two children, (Finding of Fact 4), or that Complainant’s income is \$1,894.51. (Finding of Fact 3). Accordingly, it is undisputed that Complainant has a household size of three with an

annual income of \$49,257.26 (which is a monthly income of \$4104.77). (See also Complainant's Exhibit 1).

ALJ Jandebour correctly found that such income places Complainant within range of 251% to 300% of the Federal Poverty Guidelines for a household of three individuals. (Finding of Fact 13). Applying this income level, ALJ Jandebour correctly found any Commission ordered payment plan for a customer with such income shall not exceed one year. 66 Pa.C.S. § 1405(b)(3). (Conclusion of Law 6). Inasmuch as Complainant does not contest any of the household size or income findings of the Administrative Law Judge (which are supported by the testimonial evidence and Complainant's own exhibit), this Exception should be dismissed.

Respectfully submitted,

GROSS MCGINLEY, LLP

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Attorneys for PPL Electric Utilities Corporation

Date: February 13, 2012

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MIMOSE INNOCENT,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. F-2010-2184996

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

This is to certify that **PPL ELECTRIC UTILITIES CORPORATION'S**
REPLIES TO EXCEPTIONS OF COMPLAINANT was mailed to
counsel/complainant of record on behalf of Complainant by first class United States mail,
postage on this the 13th day of February, 2012.

MIMOSE INNOCENT
82 STONECREST RD
BLAKESLEE PA 18610

GROSS MCGINLEY, LLP

By: 

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

Counsel for Defendant, PPL Electric
Utilities Corporation

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HARRISBURG, PA 17120

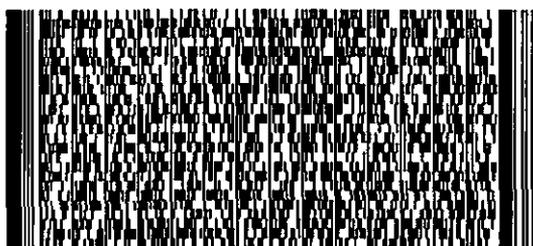
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