



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

IN REPLY PLEASE
REFER TO OUR FILE

ISSUED: December 27, 2005

C-20054978

MICHAEL LECLAIRE
30 HIGHGATE CIRCLE
SPRING CITY PA 19475

DOCUMENT
FOLDER

Michael LeClaire
v.
PECO Energy Company

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Initial Decision of Administrative Law Judge Marlane R. Chestnut. This decision is being issued and mailed to all parties on the above specified date.

If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Specifically, an original and nine (9) copies of your signed exceptions MUST BE FILED WITH THE SECRETARY OF THE COMMISSION 2ND FLOOR, KEYSTONE BUILDING, 400 NORTH STREET, HARRISBURG, PA OR MAILED TO P.O. BOX 3265, HARRISBURG, PA 17105-3265, within **twenty (20) days** of the issuance date of this letter. The signed exceptions will be deemed filed on the date actually received by the Secretary of the Commission or on the date deposited in the mail as shown on U.S. Postal Service Form 3817 certificate of mailing attached to the cover of the original document (52 Pa. Code §1.11(a)) or on the date deposited with an overnight express package delivery service (52 Pa. Code 1.11(a)(2), (b)). If your exceptions are sent by mail, please use the address shown at the top of this letter. A copy of your exceptions must also be served on each party of record. 52 Pa. Code §1.56(b) cannot be used to extend the prescribed period for the filing of exceptions/reply exceptions. A certificate of service shall be attached to the filed exceptions.

If you receive exceptions from other parties, you may submit written replies to those exceptions in the manner described above within **ten (10) days** of the date that the exceptions are due.

Exceptions and reply exceptions shall obey 52 Pa. Code 5.533 and 5.535 particularly the 40-page limit for exceptions and the 25-page limit for replies to exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)".

If no exceptions are received within **twenty (20) days**, the decision of the Administrative Law Judge may become final without further Commission action. You will receive written notification if this occurs.

Very truly yours,

James J. McNulty
Secretary

Encls.
Certified Mail
Receipt Requested
SS

LISA A LUTZ ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET S23-1
PO BOX 8699
PHILADELPHIA PA 19101-8699

Billing dispute.

MICHAEL LECLAIRE
30 HIGHGATE CIRCLE
SPRING CITY PA 19475

LISA A LUTZ ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET S23-1
PO BOX 8699
PHILADELPHIA PA 19101-8699

TD 20/10

DEC 21 2005

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Michael LeClaire

v.

PECO Energy Company

:
:
:
:
:

C-20054978

INITIAL DECISION

DOCKETED
DEC 29 2005

DOCUMENT
FOLDER

Before
Marlane R. Chestnut
Administrative Law Judge

HISTORY OF THE PROCEEDING

On September 23, 2004, Michael LeClaire (Mr. LeClaire or complainant) filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against PECO Energy Company (PECO or respondent) alleging that PECO has overbilled him since 2003, after the meter was changed. The Prayer for Relief stated: "1. Fix meter. Make PECO fix or change. 2. Adjust bills from 2003 - present to reflect historic rates. 3. Provide me with an alternative company to provide me with electricity (not just another distributor of PECO electricity). 4. Fine PECO for providing inadequate, inconsistent, unruly and at times boorish behavior and service." Although not stated, this Complaint is an appeal of a decision rendered by the Commission's Bureau of Consumer Services (BCS) on July 12, 2005 at #1745729, which addressed Mr. LeClaire's overbilling contention by finding that the bills were based on actual meter readings and were correct as rendered.

On September 14, 2005, respondent timely filed its Answer (Answer),¹ denying the material averments of the Complaint, and stating that in September 2003 the meter was changed to an automated meter reading (AMR) unit and that a field visit had been made to complainant's residence on August 24, 2004 to conduct an investigation. The field representative verified the accuracy of the last billed reading, tested the meter, and conducted a usage analysis that indicated the potential for use as billed. A further field visit was conducted on August 17, 2005, at which time the last meter reading was verified, the field representative explained that the usage was in line with seasonal usage and the customer refused a meter test.

By Hearing Notice dated October 5, 2005 the parties were notified that an Initial Hearing in this case was scheduled for the afternoon of November 8, 2005.²

A Prehearing Order was issued on October 11, 2005, directing the parties to comply with various procedural requirements.

By Order dated November 3, 2005 I denied Complainant's November 2, 2005 request that the hearing be continued and rescheduled so that he could obtain additional documents from PECO. As explained in that Order, this request was denied for a number of reasons. Mr. LeClaire had ample time since the filing of the Complaint in July 2005 to have conducted discovery. Mr. LeClaire had not in fact conducted discovery, and had never requested these documents through discovery (by letter or even by a telephone call to respondent's counsel). Respondent PECO had not been informed of the request, so had no opportunity to agree or object, as required by the Prehearing Order. In any event, the document (the account statement for the period prior to October 2002; an account statement for the period October 2002 through October 2004 had previously been provided) was provided to Mr. LeClaire prior to the hearing. At the hearing, I allowed the parties ample time to go over the documents and attempt to resolve the issues raised by the Complaint.

¹ Although at the hearing Mr. LeClaire repeatedly contended (see, e.g., Tr. 14-15, 16) that PECO's Answer was filed late and he therefore demanded "immediate judgment in [his] favor" (Tr. 15), this assertion is not correct. The Complaint was not served on PECO until August 22, 2005. Pursuant to 52 Pa. Code §§5.61 and 1.56(b), the Answer was due on September 14, 2005.

² This case was one of six PECO cases scheduled before me on that date.

The hearing was held as scheduled on November 8, 2005. Although given the opportunity to do so, they did not reach a settlement. Mr. LeClaire appeared and testified in his own behalf. His only exhibit was the account statement which, with the agreement of both parties, was admitted into the record as PECO Exh. 1. Respondent PECO appeared through counsel and presented two witnesses: Lori Messere, employed by PECO as a High Bill Field Consultant, sponsored PECO Exh. 3, a field report prepared by her during the August 16, 2005 visit to the property; and Louis DuBois, employed by PECO as a Regulatory Assessor, sponsored PECO Exh. 1 (an account statement for the period September 27, 2001 through October 27, 2005) and PECO Exh. 2 (the BCS "verbal close" of the informal complaint at #1745729).

The record, which was closed on December 15, 2005, consisted of those exhibits and a transcript of 70 pages.

As explained in more detail below, the Complaint will be denied. The bills, based on actual meter readings, were correct as rendered. Complainant failed to establish that respondent violated any provision of the Public Utility Code, any Commission order or any Commission regulation.

FINDINGS OF FACT

1. The complainant in this proceeding is Michael LeClaire, whose address is listed in the Complaint as 30 Highgate Circle, Spring City (Chester County), PA 19475.

2. The respondent in this proceeding is PECO Energy Company, which provides residential electric service to complainant and his family at that address. The account is in the name of Anita M. LeClaire.

3. Mr. LeClaire is contesting all of the bills from September 10, 2001 (when the account was initiated) to the present. Tr. 6.

4. Mr. LeClaire contacted the company to request billing statements (in addition to his monthly billing statements, which he received on a current basis) on October 2, 2003, March 16, 2004, August 10, 2004 and October 19, 2004. On October 25, 2004, PECO provided an account statement for the period October 25, 2002 to October 19, 2004; the information for the prior period was not immediately available, but was provided on November 7, 2005. Tr. 7-8.

5. Lori Messere is employed by PECO as a High Bill Field Consultant, and has been employed by PECO for 31 years. As a High Bill Field Consultant, she is responsible for analyzing customer's energy usage and verifying the accuracy of meters. Tr. 22.

6. On August 25, 2004, she made a visit to complainant's property to conduct a field investigation in response to a high bill complaint. Mrs. LeClaire was present. Ms. Messere took a meter reading, verified that the last billed reading was correct, and analyzed the property for electrical usage. She performed both a passing load test and a dropped load test, and determined that, based on her appliance survey, the potential usage was present. She observed recessed lighting, a T.V., a refrigerator, two central air conditioning units, a sump pump, computer, fax machine and copier. Lighting usage was determined to be above average given the fact that some of the lighting was recessed. Tr. 22-25, 29.

7. During this field visit, Ms. Messere tested the meter and determined that it was registering accurately. Tr. 26.

8. A second field visit was conducted by Ms. Messere on August 16, 2005. During this visit, Mr. LeClaire was present. The witness reviewed the appliance load with him, especially discussing the seasonal variations. Tr. 27, 28.

9. Ms. Messere identified PECO Exhibit 3, a cost estimate of the appliance load, that she prepared in connection with that field visit. Based on the days since the last billed reading and the reading obtained at the property, the average daily use was 107 kwh/day, or 3210 kwh for a 30-day month. Tr. 27, 29-30.

10. Ms. Messere took a reading to verify that the last billed reading was correct. Mr. LeClaire refused to allow her to do either a passing load test or a dropped load test. Tr. 27; PECO Exh. 3.

11. The property uses propane for heat, water heat, and a clothes dryer. In the summer, the air conditioning is set at 73°. Other electric appliances noted during the 2005 field visit were a microwave, ceiling fan and washer. Tr. 28, 33.

12. Given the appliances and pattern of usage, there is the potential to use the billed amount.

13. Louis DuBois is employed by PECO Energy Company as a Regulatory Assessor and has been employed by PECO for 28 years. He reviews and investigates complaints filed with the Commission. Tr. 43-44.

14. He prepared PECO Exh. 1, an account statement for the period September 27, 2001 (the initiation of the account) through the current bill issued on October 27, 2005. Tr. 44.

15. A bill based on an estimated meter reading was sent on August 26, 2003; it was cancelled when an actual meter reading was obtained. No double billing occurred. Tr. 46-47.

16. The bill for September 25, 2003 was delayed because of a questionable reading of zero usage; the meter was removed and replaced with an AMR unit in September 2003. Tr. 47.

17. The current average monthly bill is \$240. The current account balance is \$1,726.26. As of the November 8, 2005 hearing, the most recent payment received by PECO was \$250.00 on August 1, 2005. Tr. 48-49; PECO Exh. 1.

18. All of the bills were based on actual meter readings. PECO Exh. 1.

19. The usage is consistent with seasonal use, with increases in the summer months probably due to the two central air conditioning units. Tr. 49, 50.

20. The BCS Closing Report dated July 12, 2005 was admitted into the record as PECO Exh. 2. The Resolution section stated, "Verbal close. Advised customer bills are based on actual readings. Advised customer about the transition charges. Customer not satisfied. Sent customer formal complaint forms. Case closed." No utility violations were found, and no payment arrangement was established.

21. Mr. Dubois was not aware that Mr. LeClaire was challenging bills prior to 2003; he became aware on Friday, November 4, 2005 (after a discussion with Mr. LeClaire) that Mr. LeClaire wanted billing statements for the period prior to October 2002. As soon as he became aware of this, Mr. Dubois obtained the information from microfiche the next business day (Monday, November 7, 2005), prepared the account statement and faxed it to Mr. LeClaire that day. Tr. 60-61.

DISCUSSION

The Public Utility Code, 66 Pa.C.S. §332(a), places the burden of proof upon the proponent of a rule or order. As the proponent of a rule or order, complainant LeClaire has the burden of proof in this matter pursuant to 66 Pa.C.S. §332(a).

To establish a sufficient case and satisfy the burden of proof, complainant must show that the respondent public utility is responsible or accountable for the problem described in the Complaint. Patterson v. Bell Telephone Company of Pennsylvania, 72 Pa. PUC 196 (1990), Feinstein v. Philadelphia Suburban Water Company, 50 Pa. PUC 300 (1976). Such a showing must be by a preponderance of the evidence. Samuel J. Lansberry, Inc. v. PA Public Utility Comm'n, 134 Pa. Commw. 218; 221-222, 578 A.2d 600; 602 (1990), *alloc. den.*, 602 A.2d 863 (1992). That

is, by presenting evidence more convincing, by even the smallest amount, than that presented by the other party. Se-Ling Hosiery v. Margulies, 364 Pa. 45, 70 A.2d 854 (1950). Additionally, any finding of fact necessary to support the Commission's adjudication must be based upon substantial evidence. Mill v. PA Public Utility Comm'n, 67 Pa. Commw. 597, 447 A.2d 1100 (1982), Edan Transportation Corp. v. PA Public Utility Comm'n, 154 Pa. Commw. 21, 623 A.2d 6 (1993), 2 Pa.C.S. §704. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. Norfolk and Western Ry. v. PA Public Utility Comm'n, 489 Pa. 109, 413 A.2d 1037 (1980); Erie Resistor Corp. v. Unemployment Compensation Bd. of Review, 194 Pa. Super. 278, 166 A.2d 96 (1960); Murphy v. Dep't of Public Welfare, White Haven Center, 85 Pa. Commw. 23, 480 A.2d 382 (1984).

When the Complaint alleges a high-billing dispute, a complainant's burden of proof is governed by Waldron v. Philadelphia Electric Company, 54 Pa PUC 98 (1980). In Waldron, the Commission concluded that a complainant may establish a *prima facie* case, *i.e.*, satisfy the burden of proof, by showing that: (1) the number of occupants of the household has not changed; (2) the potential for energy utilization is low; and (3) the prior billing history shows no previous abnormalities. Upon the submission of such evidence, the burden of going forward with evidence shifts to the utility. If a utility fails to rebut such evidence, then a complainant would prevail. If the utility has placed into the record testimony to rebut a complainant's *prima facie* case, the burden of going forward with the evidence shifts back to the complainant. In order to satisfy the burden of proof, a complainant must rebut the utility's evidence by a preponderance of the evidence. Although the burden of going forward with the evidence may shift from one party to another during a proceeding, the "burden of proof" (burden of persuasion) never shifts. It always remains on the complainant. Replogle v. Pennsylvania Electric Company, 54 Pa PUC 528 (1980), and Waldron.

The Commonwealth Court, in Milkie v. PA Public Utility Comm'n, 768 A.2d 1217, 1219-12, 20 (Pa. Commw., 2001), interpreted the "Waldron Rule" as follows:

While the rule is often explained by stating that the ratepayer must establish certain specific elements in order to make out a *prima facie* case of overbilling by a utility company, we believe this view

is too restrictive. Rather, the controlling principle is that even where the utility can present evidence that it has tested the customer's meter and found it to be accurate, the customer may, nonetheless, prove his case by circumstantial evidence which would support a finding that the metered usage exceeded the actual usage. Thus, as our Supreme Court has explained, the rule operates as a device by which the complainant is protected from dismissal because of his inability to marshal *direct* proof that his meter had malfunctioned. *Burleson v. Pennsylvania Pub. Util. Comm'n*, 501 Pa. 433, 435-36, 461 A.2d 1234, 1235 (1983). Any circumstantial evidence which meets this standard will establish a prima facie case.

Once it is determined that the complainant has made out his prima facie case, the burden of going forward shifts to the utility, but the ultimate burden of persuasion remains with the complainant. The Commission must measure the weight and credibility of all the evidence, and simply because the ratepayer has presented a prima facie case does not obligate the Commission to credit this evidence or to give it any special weight. If the utility presents evidence found to be of co-equal (or greater) weight with that of the complainant, the complainant will not have met his burden of proof. At this stage, the Waldron doctrine provides "that the mere proof by the utility that its power measuring devices were accurate is no longer the *sole* determinant as to whether there is a basis to a complaint of overbilling." *Id.* at 436, 461 A.2d at 1236 [emphasis supplied]. Finally, where the Commission has dismissed the complaint because the customer has failed to sustain his burden of persuasion (generally a fact question), rather than because the customer failed to present a prima facie case as a matter of law, the Waldron rule is irrelevant on appeal. *Id.* at 436, 461 A.2d at 1236. (Footnotes omitted.)

It is difficult to know exactly what bills are being complained of in this proceeding. On the one hand, the Complaint is clear and unambiguous that it is those bills rendered after the meter change in 2003 that are claimed to be inaccurate, because they are higher than the bills rendered prior to the meter change. On the other hand, Mr. LeClaire also testified unambiguously that he is contesting every bill received after the account was initiated. See the following colloquy at Tr. 6:

JUDGE CHESTNUT:

Specifically, what charges are you contesting, Mr. LeClaire?

MR. LECLAIRE:

All of the charges, Your Honor, from day one.

JUDGE CHESTNUT:

When is that?

MR. LECLAIRE:

9-10-01 to the present.

Obviously, these positions are at the least inconsistent. If the pre-2003 bills are incorrect, they cannot be used as the basis to show that the later bills are incorrect simply because the later bills are higher than the earlier ones.

Although he has the burden of proof, Mr. LeClaire presented no evidence that his meter was operating incorrectly. All bills were based on actual meter readings. At the 2004 field visit, the meter readings were verified by a check reading, and the high bill investigator conducted both passing load and dropped load meter tests that indicated that the meter was operating correctly. At the 2005 visit, Mr. LeClaire refused to have the meter tested.

Nor did Mr. LeClaire present any circumstantial evidence to establish a *prima facie* case. First, there is no question that there was demonstrated the potential for usage of the billed amounts at each of the field visits. Although Mr. LeClaire tried to object that Ms. Messere is not an expert (and, presumably, is therefore incapable of rendering an opinion on this issue), that objection was not sustained. Tr. 24. Ms. Messere is well-qualified to render an expert opinion, based on her length of employment with PECO (31 years), as well as the convincing expertise she demonstrated in her testimony, on both direct and cross-examination. The Commission has adopted a liberal approach to the receipt of expert testimony. See, Manes v. PECO Energy Company, C-20015803 (Order entered June 14, 2002); Re Philadelphia Suburban Water Co., 49 Pa. P.U.C. 354 (1974). In Manes at 4, the Commission stated that "it is well established that a witness may be qualified to render an expert opinion based on training and experience. (Rutter v. Northeastern Beaver County School District, 437 A.2d 1198, 1202 (Pa. 1982) (plurality opinion)). Moreover, a witness need not

have formal education on the subject matter in order to testify. (See Reardon v. Meehan, 227 A.2d 667, 670 (Pa. 1967); Churbuck v. Union Railroad Company, 110 A.2d 210 (Pa. 1955))”.

Nor did Mr. LeClaire establish that any bill rendered was abnormally high, since he is contesting all of them. As shown on PECO Exh. 1, the account statement, there is no question that the billed usages for 2001 generally are lower than comparable periods in subsequent years. However, this hardly establishes that the bills rendered after 2001 (or 2003, for that matter) are incorrect. It may be that in 2001, the LeClaires were more cost conscious, since they just moved into their house. It may be that the appliances were different, or used differently. It may be that the number of occupants changed. It may be that any children were younger, and therefore used less electricity for their personal use. Any finding on this issue would be pure speculation, since Mr. LeClaire refused to put on testimony as to his consumption patterns.³ What is on the record is that, clearly, there was the potential to use the billed amounts of electricity at each of the field visits, given the characteristics of Mr. LeClaire’s house (for example, 45 windows, indicating a large residence) and observed appliances (two central air conditioning units, etc.)

Mr. LeClaire’s entire case is based on his determination that his billed usage increased, from one year to the next, with “no change in lifestyle or requirements to justify such.” Tr. 18. Specifically, he stated that “For the first 29 months we lived in our property, we never exceeded 1300 kilowatt hours in any month yet now our average is more than 30% higher.” Id.

The testimony presented by Mr. LeClaire does not constitute a *prima facie* case of overbilling, as defined by both the Waldron and Milkie decisions. There was no evidence at all – much less that quantum necessary to support a Commission finding – that the disputed bills were abnormally high, compared to the usage analysis or to any prior period. In fact, the unrebutted evidence establishes that all billings were based on actual meter readings, that the meter was operating properly, and that the pattern of billed usage is consistent with the seasonal use of the observed appliances.

³ In fact, I specifically asked him at Tr. 19 if he was going to testify as to his pattern of usage. He did not do so.

It also is worth noting that respondent produced uncontradicted testimony, through the testimony of a very credible witness (Ms. Messere), that she had gone to complainant's residence in 2004 and 2005 and verified (to the extent permitted by Mr. LeClaire at the second visit) that the meter was registering correctly. If Mr. LeClaire really had been concerned about the accuracy of the meter readings, he would have allowed the meter to be tested at the second field visit, as it had been during the first visit.

Respondent's witness also offered uncontradicted testimony that she had performed an appliance analysis at complainant's residence and confirmed that complainant had the potential to use the amount of electricity for which he had been charged. It is noteworthy that on her field visit report, PECO Exh. 3, Ms. Messere summed up the issue presented in this proceeding: "Justified summer use and explained hot seasonal effects on central air increased use. Can only compare to appliance load at time of visit, not 2001 because no record of appliance load to compare to."

In summary, Mr. LeClaire did not introduce sufficient credible evidence to establish even a *prima facie* case of overbilling for the periods October 2003 to the present, or from September 10, 2001 to the present.

Although the Complaint on its face was about this alleged overbilling, at the hearing Mr. LeClaire seemed much more interested in raising what he contended were improprieties committed by PECO. By far, the majority of his direct testimony and questions on cross-examination were addressed to these issues. First, he contended that PECO's Answer was late-filed. As explained in footnote 1, supra, this contention is simply incorrect. The Complaint was served on PECO on August 22, 2005. Pursuant to 52 Pa. Code §§5.61 (20 days) and 1.56(b) (3 additional days when service is made by mail), the Answer was due on September 14, 2005. As the Answer in fact was filed on September 14, 2005, it obviously was timely filed.

Next, Mr. LeClaire asserted that PECO should be found liable for failing to respond to his requests for account statements made by him on October 2, 2003, March 16, 2004

and August 10, 2004.⁴ When asked where in his formal Complaint he raised this as a substantive issue, Mr. LeClaire pointed to the sentence “No reason given for increase.” No reasonable person could conclude from that statement that PECO could have had notice that this refers to the requests for account statements, which in any case contain the information contained on the billing statements received each month. This issue, as it was not raised in the Complaint, cannot possibly be used as the basis for any finding against PECO.

Finally, Mr. LeClaire asserted that PECO’s failure to contact him by the Tuesday prior to the hearing in order to attempt to resolve the Complaint as required by my Prehearing Order somehow renders PECO at fault. It is correct that Mr. DuBois contacted him on Thursday rather than Tuesday; Mr. DuBois apologized on the record. Tr. 62. It must be remembered that this was one of six PECO cases scheduled for hearing on that date; perhaps that was a factor. In any case, I fail to see how Mr. LeClaire was harmed in any way, given that the parties were permitted as much time as they wished to confer between themselves prior to the start of the hearing.

In fact, the record is clear that PECO made every effort to respond timely and appropriately to this complainant. PECO twice sent out a high bill investigator in response to complaints of high bills; it timely provided the account statement for the 2001-2003 period when asked during the course of this investigation; it attempted to negotiate with complainant in an attempt to resolve his concerns both prior to and at the hearing. PECO in fact should be commended, not censured, based on the record of this proceeding.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties and subject matter of this proceeding.
2. The complainant bears the burden of proof. 66 Pa. C.S. §332(a).

⁴ I am excluding the request Mr. LeClaire made on October 19, 2004 as the uncontroverted testimony was that on October 25, 2004, a 2-year account statement was provided to him.

3. When the Complaint alleges a high-billing dispute, a complainant's burden of proof is governed by Waldron v. Philadelphia Electric Company, 54 PaPUC 98 (1980).

4. Complainant failed to meet this burden of proof. Complainant failed to adduce even circumstantial evidence of overbilling by respondent.

5. Failure by complainant to establish even a prima-facie case warrants dismissal of the Complaint.

6. Respondent has not violated any provision of the Public Utility Code, any Commission order or any Commission regulation.

ORDER

THEREFORE,

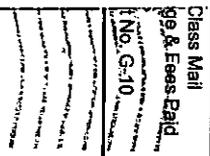
IT IS ORDERED:

1. That the Complaint of Michael LeClaire against PECO Energy Company at Docket No. C-20054978 is denied; and
2. That the record at Docket Number C-20054978 be marked closed.

Date: December 14, 2005



Marlane R. Chestnut
Administrative Law Judge





FORM UCGD-12 8M (Rev. 1-26-06)
 COMMONWEALTH OF PENNSYLVANIA
 PUBLIC UTILITY COMM. INC.
 P.O. BOX 3265
 HARRISBURG, PA 17105-3265

7160 3901 9843 0829 4419
 Return Receipt Requested



CERTIFIED MAIL™

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. -- FOLD AT DOTTED LINE

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) 90-92-1-26-06

B. Date of Delivery 90-92-1-26-06

C. Signature [Signature]

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

2. Article Number 7160 3901 9843 0829 4419

3. Service Type: **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes No

1. Article Addressed to:

C-20054978 ID
Michael LeClair

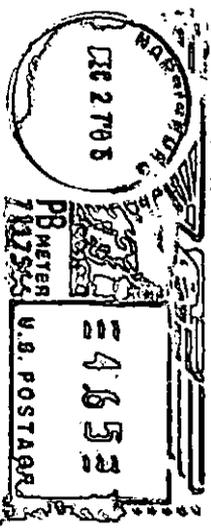
PS Form 3811, March 2005 Domestic Return Receipt

- FINAL NOTICE
- A INSUFFICIENT ADDRESS
 - B ATTEMPTED NOT KNOWN
 - C NO SUCH NUMBER/ STREET
 - D NOT DELIVERABLE AS ADDRESSED
 - E UNABLE TO FORWARD

RTS
 RETURN TO SENDER

NOTIFIED DATE 12/29 INT
 SECOND NOTICE

Michael LeClair
 C-20054978 ID
 resent 3/2/06
DOCUMENT FOLDER



COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) 90/13/06

B. Date of Delivery 90/13/06

C. Signature [Signature]

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

2. Article Number 7160 3901 9843 0829 4419

3. Service Type: **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes No

1. Article Addressed to:

C-20054978 ID
Lisa Lutz Egg.

PS Form 3811, March 2005 Domestic Return Receipt