

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Jule Ann Johnson,
v.
T.W. Phillips Gas & Oil
Company

Docket No.: C-20054962

Telephone Initial
Hearing

Pages 1 - 56

**DOCUMENT
FOLDER**

Pittsburgh State Office
Building
Room 1115
625 Liberty Avenue
Pittsburgh, PA 15222

Wednesday, November 30, 2005
Commencing at 10:05 a.m.

BEFORE:

JOHN H. CORBETT, JR., Administrative Law Judge

APPEARANCES:

JULE JOHNSON
151 Perry Street
Punxsutawney, PA 15767

Pro Se

JAY W. DAWSON, Esquire
205 North Main Street
Butler, PA 16001

For the T.W. Phillips

RECEIVED

DEC 1 2 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VAL

REPORTER: SHANNON C. FORTSCH

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P R O C E E D I N G S

JUDGE JOHN H. CORBETT, JR.:

This is the time and place scheduled for a telephonic hearing on the complaint of Jule Ann Johnson versus T.W. Phillips Gas & Oil Company. This complaint was docketed with the Pennsylvania Public Utility Commission at number C-20054962. I am Administrative Law Judge, John Corbett, and I have been assigned to hear this case and to render an initial decision.

We have on the telephone this morning Jule Ann Johnson representing herself, and Jay Dawson representing T.W. Phillips Gas & Oil Company, and a representative of the utility by the name of Tracy Lazzo.

I should note for the benefit of the parties and for the record that I'm sitting in a hearing room in Pittsburgh with a court reporter. The court reporter is taking down stenographically everything that we say while we are on the record, and she is also running a tape recorder backup. So I'd alert the parties to the fact that everything that we say while we are on the record is being tape recorded. I would ask the parties to get as close to the speaker

1 on the phone as they can, speak up loudly and clearly,
2 and try to let only one party at a time talk. And
3 that way, we'll get a clear record of what transpires
4 here this morning. If, on the other hand, you don't
5 hear something that is said, then please feel free to
6 interrupt and ask me to have the party repeat whatever
7 was said that you missed.

8 With those preliminary marks out of the
9 way, then we'll turn to the matter at hand. Ms.
10 Johnson, I've read your complaint and the Answer filed
11 by T.W. Phillips. It appears that there's some type
12 of a billing dispute here. And what I usually do
13 before beginning to hear testimony in a case like this
14 is ask the parties if they'd like to take a few
15 minutes to discuss this matter between themselves off
16 the record. Prior to today, Ms. Johnson, have you had
17 a chance to talk to either Mr. Dawson or Ms. Lazzo
18 about this matter?

19 MS. JOHNSON:

20 Yes, I have.

21 JUDGE CORBETT:

22 Okay. Do you think it'd be worthwhile to
23 take a few more minutes to discuss this matter further
24 with them to see if the two sides can come together to
25 reach some kind of a settlement or resolution in this

1 case?

2 MS. JOHNSON:

3 No, they seem very set in their way.

4 JUDGE CORBETT:

5 All right. Well, then we'll begin. Mr.
6 Dawson, do you feel the same way?

7 ATTORNEY DAWSON:

8 Well, Your Honor, we did have a
9 discussion and we attempted to reach a settlement and
10 made a proposal, and we could not come to an
11 agreement. So I think it's probably best that we go
12 forward with our hearing.

13 JUDGE CORBETT:

14 Okay. Very good. Then we'll begin to
15 hear some testimony. Ms. Lazzo, will you be
16 testifying on your on behalf?

17 MS. LAZZO:

18 Yes, Your Honor.

19 JUDGE CORBETT:

20 I'm sorry. I'm sorry. Ms. Johnson?

21 MS. JOHNSON:

22 Yes?

23 JUDGE CORBETT:

24 Will you be testifying on your own
25 behalf?

1 MS. JOHNSON:

2 Yes.

3 JUDGE CORBETT:

4 Okay. That will teach me to try to do
5 two things at one time. I was writing Ms. Lazzo's
6 name down and thinking of her and trying to talk to
7 you, Ms. Johnson. In any event, Ms. Johnson, will you
8 raise your right hand and be sworn?

9 -----

10 JULE ANN JOHNSON, HAVING FIRST BEEN DULY SWORN,
11 TESTIFIED AS FOLLOWS:

12 -----

13 JUDGE CORBETT:

14 And will you begin, please, by giving us
15 your full name?

16 A. Jule Ann Johnson.

17 JUDGE CORBETT:

18 All right. And Ms. Johnson, will you
19 provide us with your address, please?

20 A. 151 Perry Street, Punxsutawney, Pennsylvania.

21 JUDGE CORBETT:

22 And how long have you lived at this
23 address, Ms. Johnson?

24 A. About 59 years.

25 JUDGE CORBETT:

1 If there's a delay between the time that
2 you answer a question and the time I ask the next
3 question is because I'm taking some notes as we go
4 along. One moment, please.

5 Okay. Ms. Johnson, so you've lived at 151 Perry
6 Street for the last 59 years?

7 A. I have.

8 JUDGE CORBETT:

9 Okay. And how long has the account with
10 T.W. Phillips been your name at this address?

11 A. Since November of 2003.

12 JUDGE CORBETT:

13 Okay. And who else lives at this address
14 with you?

15 A. I live here by myself.

16 JUDGE CORBETT:

17 Okay. And you lived there by yourself in
18 November of 2003?

19 A. That's true.

20 JUDGE CORBETT:

21 And that hasn't changed up to the present
22 time?

23 A. No.

24 JUDGE CORBETT:

25 Can you describe for me what type of ---

1 is this a house or an apartment?

2 A. It's a home.

3 JUDGE CORBETT:

4 And can you describe for me what kind of
5 a home it is? Is it two-story, three-story?

6 A. It's two-story, and the basement is completely
7 finished off.

8 JUDGE CORBETT:

9 Okay. Is it brick or frame?

10 A. Frame.

11 JUDGE CORBETT:

12 Do you know approximately how old the
13 house is?

14 A. A little over 100 years, but it's been completely
15 remodeled.

16 JUDGE CORBETT:

17 When was the remodeling?

18 A. It's been an ongoing proposition. The last it's
19 been done was '98.

20 JUDGE CORBETT:

21 Okay. Could you tell me what rooms are
22 on the first floor?

23 A. The kitchen, a mud room, a dining room, and a
24 living room.

25 JUDGE CORBETT:

1 And what rooms are on the second floor?

2 A. Three bedrooms and a bath.

3 JUDGE CORBETT:

4 Okay. And you said that the basement was
5 finished?

6 A. Correct.

7 JUDGE CORBETT:

8 And is it divided into rooms or is it
9 just ---?

10 A. Like half of it is a family room. There's a full
11 bath off the family room and there's the utility room
12 plus there's --- with the washer and dryer and that
13 stuff in it. And then there's --- under the porch,
14 there is another section for storage.

15 JUDGE CORBETT:

16 Okay. Does the house have an attic?

17 A. Yes, it does.

18 JUDGE CORBETT:

19 Is the attic insulated?

20 A. Yes, exceptionally well. And the foundation of
21 the house is not only a foundation, it is has a rock
22 around it like a decoration, but it --- like river
23 rock.

24 JUDGE CORBETT:

25 Okay. Can you tell me what kind of

1 appliances you have in your house? First of all, do
2 you have a gas furnace?

3 A. Yes.

4 JUDGE CORBETT:

5 Can you tell me what kind of a gas
6 furnace it is? Is it a forced air or a radiator heat?

7 A. Radiator heat.

8 JUDGE CORBETT:

9 Okay. So it has --- the furnace has a
10 boiler? It just warms up hot water.

11 A. No, I'm sorry, then it's forced air.

12 JUDGE CORBETT:

13 Forced air. Okay. How old is the
14 furnace; do you know?

15 A. Yes, it was ten years old.

16 JUDGE CORBETT:

17 Do you have a water heater?

18 A. It's elect --- it's a --- yeah, we have a hot
19 water heater.

20 JUDGE CORBETT:

21 Is that electric or gas?

22 A. Electric.

23 JUDGE CORBETT:

24 Okay. Do you have any other gas
25 appliances in your house?

1 A. Yes, the dryer is gas. The cook top is gas. And
2 that's it.

3 JUDGE CORBETT:

4 Okay. All right. Now, you indicated
5 that you believe --- well, you're disputing a bill
6 with T.W. Phillips. Is that one bill that you're
7 disputing, or are you disputing all of your bills or
8 what are you disputing?

9 A. Well, basically, I'm disputing that one, and I
10 guess you would go in to the 2004 bills.

11 JUDGE CORBETT:

12 Okay.

13 A. The end of 2003 and 2004.

14 JUDGE CORBETT:

15 Okay. Is it one bill or is it several
16 months that you're disputing?

17 A. It's several months because --- I'm disputing it
18 because of the fact that they base it on 2003 and
19 actually the home belonged to my mother. And I know
20 for a fact that my mother, who was almost a
21 90-year-old woman, and she kept the heat up to 80.
22 And even though I lived with her, I would have to wear
23 short-sleeve summer blouses. I had the heat turned
24 back now to 70 and even this year it's down at 65 to
25 66 and they're charging me more money saying that I'm

1 using more heat. And I can't understand it.

2 JUDGE CORBETT:

3 Okay. All right. So you're disputing
4 the bills for the period ending 2003, beginning of
5 2004?

6 A. Correct.

7 JUDGE CORBETT:

8 Okay. And can you tell me --- do you
9 have the bills with you there?

10 A. Yes.

11 JUDGE CORBETT:

12 Can you tell me first of all when was the
13 first bill that you received in your name?

14 A. My November bill.

15 JUDGE CORBETT:

16 Okay. Is there a date on that bill?

17 A. Just a minute. November the --- well, it's --- I
18 had got it at the beginning of December.

19 JUDGE CORBETT:

20 Okay. And what's the --- is there a date
21 on the bill?

22 A. December 3rd.

23 JUDGE CORBETT:

24 Okay. That would be December 3rd, 2003?

25 A. Yes.

1 JUDGE CORBETT:

2 And does it tell you how many Mcfs that
3 you used?

4 A. Yes, in fact, I checked that one with the paper
5 you sent me and it was --- right --- it had 338 on it.

6 JUDGE CORBETT:

7 Okay. Well, I didn't send you a paper,
8 ma'am. You probably ---.

9 A. I received from --- right.

10 JUDGE CORBETT:

11 T.W. Phillips?

12 A. Uh-huh (yes).

13 JUDGE CORBETT:

14 All right. So let's take a look at that
15 for just a minute. T.W. Phillips sent proposed
16 exhibits for today's hearing --- Exhibits A and B. As
17 I understand it, Exhibit A --- that would be a
18 consumer usage report. Let me see if I can find that
19 bill --- that bill that you're referring to. And
20 yes, I see here service to December --- it says
21 December 9, 2003 and it gives gas usage of 13 Mcf; is
22 that what you're referring to, ma'am?

23 A. Okay, yeah, that's what I'm referring to.

24 JUDGE CORBETT:

25 Okay. So that bill was for 13 Mcf, and

1 you believe that that bill was high?

2 A. Yes, I did. Well, can you explain something to me
3 before we go any further? How do they actually read a
4 meter?

5 JUDGE CORBETT:

6 Well, ma'am, I don't know. You'll have
7 to ask T.W. Phillip.

8 A. Mr. Dawson?

9 JUDGE CORBETT:

10 No, you'll have to ask his witness.

11 A. Okay.

12 JUDGE CORBETT:

13 Okay. All right.

14 A. You don't know how they actually would do it then?

15 JUDGE CORBETT:

16 Well, I don't answer questions like that.
17 I can answer procedural questions, but other questions
18 concerning how T.W. Phillips does certain things, I
19 have to wait to receive the information from T.W.
20 Phillips.

21 A. Okay.

22 JUDGE CORBETT:

23 From their witness; okay? All right.

24 Now, you said there were several bills that you were
25 disputing?

1 A. That is correct.

2 JUDGE CORBETT:

3 What other bill were you disputing?

4 A. Well, when I would --- almost all of 2004 because
5 they tell you to call in, and when I would call in,
6 they would give me like --- that's not right --- you
7 know --- compared --- we based this on what you've
8 actually used. Well, what I actually was using was an
9 older person in the house that was using a lot more
10 heat.

11 JUDGE CORBETT:

12 Well, ---.

13 A. Well, that didn't help me. So then I didn't even
14 bother going out to read it anymore.

15 JUDGE CORBETT:

16 See, I don't understand that.

17 A. That's what I was told. And that's what I kept
18 saying. Listen, there was on older woman in the
19 house.

20 JUDGE CORBETT:

21 Okay. Let's back up just a minute. I
22 think you're ---

23 A. I'm going to fast. I'm sorry.

24 JUDGE CORBETT:

25 --- jumping several steps ahead. And I

1 think that's probably part of the reason why I'm a
2 little bit confused. And I just want to make sure
3 that the record is clear.

4 At some point, you called T.W. Phillips ---
5 A. When they would inspect you and tell you ---

6 JUDGE CORBETT:
7 --- complained --- just a minute.

8 A. I think it was that December.

9 JUDGE CORBETT:
10 All right.

11 A. They told me to go out and read my own meter.

12 JUDGE CORBETT:
13 All right.

14 A. I went out and read ---.

15 JUDGE CORBETT:
16 Just a minute, ma'am. Let me back up
17 just a minute. Before we get in to that, at some
18 point, you called T.W. Phillips to complain about the
19 bill that you thought was too high?

20 A. That was in January.

21 JUDGE CORBETT:
22 That was in January 2004?

23 A. Yes.

24 JUDGE CORBETT:
25 And when you called T.W. Phillips to

1 complain about the bill, what did you tell them?

2 A. Exactly what I stated. It was an older woman who
3 was almost 90 who had the heat up. I've lowered the
4 heat, and you're still giving me these big --- bigger
5 than I know my mother paid.

6 JUDGE CORBETT:

7 Okay.

8 A. And she said well, we have to base it on last
9 January. I said --- I was an elementary teacher, and
10 I said you can't compare apples to oranges. It's
11 impossible. And she says no, it has to be done this
12 way.

13 JUDGE CORBETT:

14 All right. Let me see if I can
15 understand. If I look at T.W. Phillips Exhibit A,
16 under the column that says meter reading; do you see
17 that?

18 A. Yes.

19 JUDGE CORBETT:

20 Okay. The very bottom, left-hand side
21 --- the bill for service to December 9, 2003. Under
22 meter reading, it says 338 with the caption A, which I
23 take it, according to the note there means, actual
24 meter reading.

25 A. That's what I take it to be, too.

1 JUDGE CORBETT:

2 Okay. Now, if that's an actual meter
3 reading, I don't understand what the reference is to
4 prior year's usage?

5 A. Well, I'm talking --- this is what she was telling
6 me in January on the phone. That's what they were
7 going to do. They were going to compare it to what my
8 mother used. And that's why I complained.

9 JUDGE CORBETT:

10 Were they going to compare it --- were
11 they --- well, wait, let's understand something here.
12 There's two different things that ---.

13 A. Well, let's go back to ---

14 JUDGE CORBETT:

15 Just a minute. No.

16 A. --- the first one.

17 JUDGE CORBETT:

18 Let me do this. Let me do this. There
19 were maybe two different ways that you're using the
20 word comparing too. The first is whether they're
21 using the prior year's usage to prepare your bill.
22 And the second is to use the prior year's usage to see
23 if you have the capacity to use the amount of gas that
24 you're using. Do you see the distinction between the
25 two?

1 A. I understand that.

2 JUDGE CORBETT:

3 Okay.

4 A. But that was the first year. They had nothing to
5 compare it to. That was the first year I was by
6 myself.

7 JUDGE CORBETT:

8 I understand that.

9 A. They weren't comparing it to me. They were
10 comparing it to my mother, who set the heat up to what
11 she wanted it. And she used to set it at 80.

12 JUDGE CORBETT:

13 Okay.

14 A. She was 90 years old and that was convenient for
15 her.

16 JUDGE CORBETT:

17 But you see --- you understand my
18 confusion, ma'am, and that is that if the meter
19 reading for December 9, 2003 is an actual meter
20 reading ---.

21 A. I want to know what they mean by actual because
22 there were no footprints around the meter that they
23 could've read it. How do they read a meter?

24 JUDGE CORBETT:

25 Okay. So you're saying then that you're

1 challenging whether there was indeed a meter reading

2 ---

3 A. That's correct.

4 JUDGE CORBETT:

5 --- on December 9, 2003?

6 ATTORNEY DAWSON:

7 Your Honor, excuse me?

8 JUDGE CORBETT:

9 Yes?

10 ATTORNEY DAWSON:

11 This is Jay Dawson speaking. I just
12 wanted to --- I'm certainly willing to listen to all
13 of that Ms. Johnson has to say. I just wanted to
14 raise the point that her complaint was limited to the
15 bill she received --- the bill she refers to is almost
16 \$300. She refers to a specific bill in --- it was
17 received in February of 2004. I'm perfectly willing
18 to listen now to a complaint where she has now
19 expanded it not only to be for the --- apparently, the
20 entire year of 2004, but now she's complaining about
21 our meter reading. I just wanted to forewarn you that
22 our Answer does not address those issues because they
23 were not presented in the complaint.

24 JUDGE CORBETT:

25 I understand. I understand.

1 ATTORNEY DAWSON:

2 So we're caught a little bit at a loss in
3 terms of being able to respond to some of this stuff
4 because this is the first time we've heard that this
5 was the subject of the complaint.

6 JUDGE CORBETT:

7 I understand. We'll deal with this later
8 if we need to. Okay.

9 A. Okay.

10 JUDGE CORBETT:

11 Now, the December 9th, 2003 bill ---.

12 A. That's what I don't understand. They said actual,
13 and if I don't --- I always thought a person came
14 around to read the meter. It's out by my front porch
15 on the side of my house. And it's --- I live near the
16 road, so it's very easy to read. And there was no one
17 there those months that they're saying it was actual.
18 I don't know how it's done if they don't come and
19 actually read the meter.

20 JUDGE CORBETT:

21 Okay.

22 A. And I went out and dug the snow away from it, so
23 that they wouldn't have a rough time getting there and
24 nobody came. So then I get the bill that says they
25 actually read it. How do they actually read it?

1 JUDGE CORBETT:

2 Okay. What is the next bill that you
3 challenge, ma'am?

4 A. In January, the one that I did challenge, was when
5 they sent me the bill for almost \$300.

6 JUDGE CORBETT:

7 Okay.

8 A. And that's when she --- like I said, I really
9 called in and complained about that one. And I was
10 told that they were comparing it to last January.

11 JUDGE CORBETT:

12 Okay.

13 A. And the January they talked about was the January
14 when my mother was still alive and lived in the house
15 and kept the heat on high. I'm now by myself, have it
16 ten degrees less, and yet I'm paying more money than
17 she did. And I didn't understand. And she said,
18 well, we have to do it this way and compare it to last
19 January. That's when I said, it was like comparing
20 apples to oranges. It's two different things.

21 JUDGE CORBETT:

22 All right. So the bill --- if I'm,
23 again, looking at T.W. Phillips Exhibit A, customer
24 usage report --- the next bill that you're challenging
25 would be the bill for February 9 --- service to

1 February 9, 2004 for the amount of Mcfs used,
2 according to T.W. Phillips, was 28 Mcfs and the bill
3 amount was \$280.29.

4 A. And again, they have an A there.

5 JUDGE CORBETT:

6 Is that --- excuse me --- is that the
7 bill that you're referring to?

8 A. Yes.

9 JUDGE CORBETT:

10 Okay. Now, ---.

11 A. Well, no --- yes, that's the bill I'm referring
12 to.

13 JUDGE CORBETT:

14 Okay. Are there any other bills that you
15 are challenging?

16 A. Basically, I had said, but it's not in the
17 complaint as he said, that whole year they compared it
18 to. And they're saying that they do read it ---
19 actually read it every other month. Well, I've never
20 seen them here, and I want to know how they're reading
21 it.

22 JUDGE CORBETT:

23 Are you home during the day?

24 A. I have been home --- I'm retired. I've been home
25 every single day.

1 JUDGE CORBETT:

2 When did you retire?

3 A. '91.

4 JUDGE CORBETT:

5 Okay.

6 A. So there's no problem about them coming around and
7 reading it --- besides, it outside. But I was out
8 there shoveling snow every single day last year, and
9 nobody was there, and there were no footprints around
10 it that shows that somebody was there when they were
11 saying they were actually doing it. Now, I don't know
12 how they actually read a meter. And I would like to
13 know how they're doing it.

14 JUDGE CORBETT:

15 Okay.

16 A. But as far as I'm concerned ,when they're basing
17 all their estimates and everything on what was from
18 2004 --- what was used in 2003, that it's impossible
19 to estimate it that way because as I said, it's two
20 different people. And they are saying they read it
21 every other month, and there's no one here. Unless
22 they magically figure out a way to do it, I don't know
23 how they're doing it.

24 JUDGE CORBETT:

25 Okay. I also see on the customer usage

1 report here that there are some notations beside meter
2 reading with the notation C for actually customer
3 meter reading. And I take it that these were meter
4 readings that you've sent in to T.W. Phillips?

5 A. I would read it and call it in. And I'm not
6 exactly illiterate, but they would tell me that I was
7 reading it wrong --- according to what I have used
8 before. And I kept saying, but I've never been by
9 myself before. What you have used before, this is the
10 way we're taught, so I just gave up.

11 JUDGE CORBETT:

12 All right. My question is that you did
13 provide customer reading --- you did provide customer
14 meter readings to T.W. Phillips?

15 A. Once or twice is all.

16 JUDGE CORBETT:

17 Okay.

18 A. But they're saying on this paper that they do it
19 every other month. And on the papers we get, they do
20 it three times a year.

21 JUDGE CORBETT:

22 What papers did you get?

23 A. The paper with your bill on it. It comes whether
24 it was an actual, a customer reading, or an estimated.
25 And they're only actually reading it three times a

1 year. And they're saying every other month.

2 JUDGE CORBETT:

3 What paper are you referring to, ma'am?

4 A. Every month you get your bill ---

5 JUDGE CORBETT:

6 Yes, ma'am.

7 A. --- and on the bill are little bar graphs when it
8 is being --- it is an estimated month, it is an actual
9 month, or it is a customer read month. And they do it
10 --- they have the whole year out. And they're only
11 actually reading it three times a month on the billing
12 slip. Now, according to the slips they provided you,
13 they're reading it every other month and that is what
14 I don't understand. How can they come up with two
15 different things?

16 JUDGE CORBETT:

17 Are you saying that your bills indicate
18 that they're reading it ---

19 A. Three times a year.

20 JUDGE CORBETT:

21 --- three times a year. Okay.

22 A. And in fact, I can even give you the month. They
23 read it in November, May, and September only are the
24 actual readings. And if you go down to your rights
25 and responsibilities as a utility customer, it

1 actually states that the actual readings have to be
2 only every six months, and they do it three times a
3 year and that's it. So why would they lie on the
4 papers they sent you and said they're reading it every
5 other month.

6 JUDGE CORBETT:

7 Okay. What else do you have to tell me?
8 Are there any other bills that you want to challenge?

9 A. I would challenge --- no, just all of 2004 because
10 then 2005, they based it on what 2004 had said and
11 when 2004 was wrong, 2005 was automatically wrong.

12 JUDGE CORBETT:

13 Are you saying then that all of your
14 bills are wrong?

15 A. Well, they based everything from 2004 on to 2003.
16 And there were two different people living here. And
17 then that just threw everything right off. So what
18 I'm saying is when they based the first year wrong,
19 that did everything wrong. I'm not saying I didn't
20 use gas, I'm saying that sometimes they've estimated.
21 They're saying they actually read it, they didn't.
22 And they kept basing everything on 2003. In 2004,
23 they kept going back and telling me, I didn't know how
24 to read the meter because in 2003, I used this much.
25 No, it wasn't me.

1 JUDGE CORBETT:

2 All right. That brings up a couple of
3 questions --- a couple of further questions --- that
4 is one, do you believe that --- are you saying then
5 that T.W. Phillips has not read your meter at all
6 since November of 2003?

7 A. I haven't seen any indication that they have. I
8 mow my own grass and do all my outside work and nobody
9 has been here.

10 JUDGE CORBETT:

11 Okay.

12 A. And I've even asked the neighbors if they've ever
13 seen anybody and they've said, no.

14 JUDGE CORBETT:

15 And are you then saying that all of your
16 bills since 2003 are incorrect?

17 A. I don't know how they're doing it.

18 JUDGE CORBETT:

19 Okay. So you're saying all of your bills
20 since November 2003 are incorrect?

21 A. Well, to my knowledge, they are.

22 JUDGE CORBETT:

23 Okay. All right. Is there anything else
24 you want to tell me?

25 A. Not right now, no.

1 JUDGE CORBETT:

2 Okay. Mr. Dawson, any questions?

3 ATTORNEY DAWSON:

4 Just a couple, Your Honor.

5 DIRECT EXAMINATION

6 BY ATTORNEY DAWSON:

7 Q. Ms. Johnson, you indicated that prior to November
8 of 2003, you lived at this residence with your mother;
9 is that correct?

10 A. That's correct.

11 Q. So is that the case for all --- you said you were
12 living there for 59 years; were you living there with
13 your mother for that entire period?

14 A. My mother, my father, my sisters, my nephew.

15 Q. How long, prior to November 2003, were you and
16 your mother the only residents of the ---?

17 A. '97.

18 Q. It was '97. So from '97 through the end of 2003,
19 you and your mother, two people, were living in that
20 residence; is that correct?

21 A. That's correct.

22 Q. And since November of 2003, you have been living
23 there by yourself; is that correct?

24 A. That's correct.

25 ATTORNEY DAWSON:

1 Thank you. That's all the questions I
2 have, Your Honor.

3 JUDGE CORBETT:

4 All right. Ms. Johnson, is there
5 anything else you want to tell me?

6 MS. JOHNSON:

7 No, not at this time.

8 JUDGE CORBETT:

9 Do you have any other witnesses you want
10 to present?

11 MS. JOHNSON:

12 No.

13 JUDGE CORBETT:

14 Okay. Go ahead, Mr. Dawson, we'll listen
15 to your witness. Do you have a witness to present?

16 ATTORNEY DAWSON:

17 Yes, Your Honor, I have Tracy Lazzo,
18 please.

19 JUDGE CORBETT:

20 All right. Ms. Lazzo, will you raise
21 your right hand, please, and be sworn?

22 -----

23 TRACY LYNN LAZZO, HAVING FIRST BEEN DULY SWORN,
24 TESTIFIED AS FOLLOWS:

25 -----

1 JUDGE CORBETT:

2 All right. And would you begin, please,
3 by giving us your full name? Spell your last name for
4 the court reporter, please?

5 A. Tracy Lynn Lazzo, L-A-Z-Z-O.

6 JUDGE CORBETT:

7 Okay. And Mr. Dawson, you may proceed.

8 ATTORNEY DAWSON:

9 Thank you, Your Honor.

10 DIRECT EXAMINATION

11 BY ATTORNEY DAWSON:

12 Q. Ms. Lazzo, are you employed by T.W. Phillips?

13 A. Yes, I am.

14 Q. And what is your position with T.W. Phillips?

15 A. Supervisor of the Customer Service Department.

16 Q. Could you briefly describe your responsibilities
17 in that position?

18 A. I oversee and supervise all aspects of the
19 customer service department.

20 Q. In that capacity, are you familiar with T.W.
21 Phillips Gas service to the Complainant in this case,
22 Jule Ann Johnson, at 151 Perry Street in Punxsutawney?

23 A. Yes, I am.

24 Q. And are you aware of the complaint that Ms.
25 Johnson had about her gas --- her February 2004 gas

1 bill?

2 A. Yes.

3 Q. I'd like to draw your attention to the document
4 that's been marked for purposes of identification as
5 T.W. Phillips Exhibit A.

6 ATTORNEY DAWSON:

7 And Your Honor, I trust that you have
8 this document in front of you?

9 JUDGE CORBETT:

10 Yes, I do. It'll be so marked and
11 identified.

12 (T.W. Phillips Exhibit A marked for
13 identification.)

14 ATTORNEY DAWSON:

15 And we also sent a copy to Ms. Johnson.
16 So I trust that she has one as well.

17 BY ATTORNEY DAWSON:

18 Q. Would you identify this document, please?

19 A. Yes. This is the customer usage report for Jule
20 Johnson for the property at 151 Perry Street in
21 Punxsutawney.

22 Q. And was this document prepared at your direction?

23 A. Yes.

24 Q. And is the information that is contained in the
25 document true and correct, to the best of your

1 knowledge?

2 A. Yes, it is.

3 Q. Just taking a look at the information on this
4 record of usage, what is the current balance on Ms.
5 Johnson's account?

6 A. \$47.59.

7 Q. And has Ms. Johnson made her payments on a regular
8 basis throughout the history of this account?

9 A. Yes, she has.

10 Q. Now, I'm going ask you a few questions that are
11 --- have to respond to some of the issues that Ms.
12 Johnson raised in her testimony. First of all, does
13 T.W. Phillips have a program in place whereby
14 customers can elect to read their own meters?

15 A. Yes.

16 Q. What is the purpose of that program?

17 A. That is called our customer meter read program.
18 And that program is for customers to avoid getting an
19 estimated bill where they can read their own meter,
20 call it in to the company, and we will bill based on
21 customer reading.

22 Q. Okay. Does T.W. Phillips provide the customers
23 with any kind of directions concerning the manner in
24 which the meter should be read?

25 A. Yes, we have a brochure that when a customer

1 establishes service with us and they choose to enroll
2 in that program, we will mail out a brochure that
3 explains how to read the meter and when they can call
4 in those readings to the company. It is also marked
5 on their bill every other month at the bottom what
6 dates they can read their meter and call it in to
7 avoid the estimated bill.

8 Q. Okay. Taking a look at the information that's
9 contained on Exhibit A, can you tell me --- just
10 looking at the information on this page, which meter
11 --- which meter readings that are listed are meter
12 readings that were actually meter readings taken by
13 T.W. Phillips employees? Just run down the list.

14 A. The first reading that we obtained is whenever she
15 established the service in 2003, which is not on this
16 report. The first actual reading ---.

17 Q. When did she establish service?

18 A. November 4th of 2003.

19 Q. So there would've been a meter reading at the
20 beginning of that relationship?

21 A. Correct.

22 Q. Could you just go through --- chronologically
23 start from the bottom of the page and identify those
24 meter readings that were taken by T.W. Phillips
25 employees?

1 A. Actual readings that the company obtained was
2 first, December 9th of 2003, February 9th, 2004, April
3 8th of 2004, June 8th of 2004, September 9th, 2004,
4 November 5th, 2004, January 10th, 2005, March 8th,
5 2005, May 9th, 2005, September 9th, 2005, and our last
6 reading on November the 7th, 2005.

7 Q. What is T.W. Phillips's standard practice relative
8 to the frequency at which it has meter readers reading
9 the meters of its customers?

10 A. We will typically read our customers meters every
11 other month throughout the year.

12 Q. Now, is there any exception to that?

13 A. The exception would be during the summer months
14 when our customers' usage is low. We typically would
15 estimate during those summer months for three months.

16 Q. Based upon the records that you're aware of and
17 the records set forth on this customer usage report,
18 are you confident that T.W. Phillips personnel did, in
19 fact, read Ms. Johnson's meters on the dates that you
20 have just testified to?

21 A. Yes, I do believe.

22 Q. Would you describe the manner in which T.W.
23 Phillips meter readers carry out their function and
24 read customer meters?

25 A. Our meter readers would go to the customer's

1 property and read the meter. They read the meter from
2 left to right. There are four circle dials on the
3 face of the customer's meter. When the dial is
4 between two numbers; for instance, Ms. Johnson's read
5 on December the 9th, reading 338 --- the first dial
6 was between three and a four, we take the lower of the
7 two numbers. Exactly then on the same --- on the
8 second dial being a three and on the third dial an
9 eight. The last dial on the right is a tenth of a
10 unit of gas, and we use that dial for rounding
11 purposes. So anything five or less on the fourth
12 dial, we would increase the third number one number
13 higher, meaning if it were 337 and the fourth being a
14 five, we would take it as a read of 338.

15 Q. So you round up if it's less than half Mcf and
16 round down otherwise?

17 A. Correct.

18 Q. Now, in terms of actually physically reading the
19 meter, how do the meter readers go about doing that
20 --- do they walk, do they drive, how do they get to
21 the meter and physically take the reading?

22 A. Different areas --- meaning in Ms. Johnson's area
23 in Punxsutawney, typically they would drive between
24 houses. They can pick up a reading if a meter is
25 located out by the road from the truck without

1 actually getting out of the vehicle. They do read
2 hundreds of meters a day, so this is their full-time
3 job that they do. Some --- you know --- if meters are
4 located near the residence at the house, they would
5 have to get out and walk up to the face of the meter
6 to obtain the reading.

7 Q. Now, am I correct in understanding that the bills
8 generated by T.W. Phillips are based upon either
9 actual meter readings or estimated meter readings?

10 A. Correct or customer read.

11 Q. Or customer meter readings. Now, taking a look at
12 the --- I have a follow-up to that question. Does
13 T.W. Phillips base its current billings on a
14 customer's usage in a prior year?

15 A. Yes.

16 Q. Let me ask the question again, maybe you didn't
17 understand me. Does T.W. Phillips base its current
18 billings on a customer's usage in a prior year?

19 A. No, sorry.

20 Q. What are the current billings based upon?

21 A. Based upon either an actual reading or a customer
22 reading.

23 Q. Okay. All right. Now, I'd like to take a look at
24 the --- again, at Exhibit A and ask you to identify,
25 if you will, the meter readings that would have been

1 meter readings that were taken by Ms. Johnson and
2 communicated to T.W. Phillips as a customer meter
3 reading; would you identify the months and years in
4 which the readings are based on a customer meter
5 reading?

6 A. The first customer read that we received from Ms.
7 Johnson was January 9th of 2004 of a read of 343. The
8 next customer read was March 8th, 2004 of 386, May
9 10th, 2004 of 401, and then we did not receive another
10 read until December 8th, 2004 from Ms. Johnson, which
11 was a 434.

12 Q. On each case where you see --- are you referring
13 in these cases to the meter readings that have the
14 letter C next to them?

15 A. That's correct.

16 Q. And that refers to the customer meter reading?

17 A. Correct.

18 Q. Are each of those customer meter reading dates,
19 dates or months on which T.W. Phillips would otherwise
20 have estimated the meter reading?

21 A. That's correct.

22 Q. Now, I'd like to kind of redirect your attention
23 to the complaint that was made by Ms. Johnson. Would
24 you state or please describe the complaint that Ms.
25 Johnson made to T.W. Phillips about her February 2004

1 gas bill?

2 A. Yes, Ms. Johnson contacted the company on February.
3 19th, and she felt that her bill for the \$280.29 that
4 she had received in February of 2004 was too high and
5 inconsistent with her previous gas bill.

6 Q. You indicated that she called the company on
7 February 19; is that February 19 of 2004?

8 A. That's correct.

9 Q. Do your records indicate any prior calls or
10 complaints from Ms. Johnson concerning her gas bills?

11 A. No, that was the first notice that we had.

12 Q. Okay. Do you have records that would substantiate
13 that --- how do you know what date a customer would've
14 called T.W. Phillips customer service department?

15 A. Each time a customer would call in and inquire
16 about their account, we document the call, the time
17 --- or the date that they called in and what was
18 discussed in the conversation, so that we can
19 follow-up in the following calls if there's any
20 correspondence that needs to be ---.

21 Q. How is it that it's documented?

22 A. We have on our computer system called a scratch
23 pad that we just document the notes of the
24 conversation and the date and what was discussed.

25 Q. And did you review the scratch pad to reach the

1 conclusion that you did --- that the first call from
2 Ms. Johnson had been February 19th, 2004?

3 A. Yes, I did.

4 Q. Now, taking a look at the history, has T.W.
5 Phillips residential gas services rates increased over
6 the past year?

7 A. Yes.

8 Q. Two years?

9 A. Yes. Our rates have increased because of the
10 increase in the cost of the gas that we supply our
11 customers.

12 Q. So a customer that may have used 10 Mcf during a
13 month in 2003 or 2002, would that customer pay more
14 for that same volume of gas than what they would in
15 2005?

16 A. Yes, they would.

17 Q. Now, getting back to the complaint that T.W.
18 Phillips received from Ms. Johnson on February 19th,
19 2004; how did T.W. Phillips respond to that
20 complaint?

21 A. We first compared her gas usage and her degree day
22 information for the period from December 9th, 2003 to
23 February 9th, 2004, with that of the same period of
24 the previous year when her residence was occupied by
25 someone else, meaning her mother.

1 Q. So presumably, based on upon her testimony, it is
2 your understanding that prior usage would've been
3 during a time when the house was occupied by two
4 people, namely Ms. Johnson and her mother; is that
5 correct?

6 A. Correct.

7 Q. Why didn't you compare prior usage during which
8 time Ms. Johnson was living in the house by herself?

9 A. Ms. Johnson didn't have enough history. She had
10 only begun to receive T.W. Phillips gas service in
11 November of 2003.

12 Q. Okay. So on that basis, would you please describe
13 the comparison that T.W. Phillips conducted in order
14 to evaluate her usage?

15 A. Yes, the Complainant used 33 Mcf of natural gas
16 during the period of December of 2003 to February of
17 2004 period, which has a degree day of 2,338. The
18 prior occupant of the Complainant's residence used 40
19 Mcf of natural gas from December 9th, 2004 to February
20 10th, 2003, when it was slightly colder of 2,370
21 degree days.

22 Q. Now, you indicated --- would you state the ---
23 repeat the dates of the prior period during which T.W.
24 Phillips made this comparison --- what were the
25 service dates?

1 A. The prior period was December 9th, 2002 to
2 February 10th, 2003.

3 Q. Okay. I think you said earlier that you referred
4 to December 9th, 2004.

5 A. Excuse me?

6 Q. So otherwise, you're basically comparing a
7 three-month winter period from --- in 2000 --- during
8 the winter of 2002/2003 with the same period during
9 the winter of 2004/2005; is that correct? I'm sorry,
10 2003/2004?

11 A. Correct, 2003/2004.

12 Q. Now, what did this comparison tell you?

13 A. In December of 2003 to February of 2004, the
14 Complainant used only 7 Mcf less than did a previous
15 resident at the same location from December of 2002 to
16 2003, a period that was slightly colder. The
17 comparison suggests that Ms. Johnson's gas usage,
18 while slightly high, was reasonable.

19 Q. Okay. Before hearing the testimony this morning,
20 did you know that the prior resident of Ms. Johnson's
21 house was her mother and Ms. Johnson?

22 A. Yes.

23 Q. Okay. So you are aware that the prior occupant of
24 the Complainant's resident was a 90-year-old woman,
25 Ms. Johnson's mother?

1 A. Yes.

2 Q. What is T.W. Phillips perspective in terms of
3 comparing prior usage where there are two different
4 customers involved?

5 A. We know that different people have different
6 circumstances, you'd use different amounts of gas. We
7 still believe, however, that the comparison we made
8 was a useful means of evaluating the reasonableness of
9 the Complainant's measured gas under these
10 circumstances.

11 Q. What circumstances are you referring to?

12 A. Normally the gas comparison that I've described is
13 only one of the several aspects of an investigation of
14 a high bill complaint. We usually do a thorough high
15 bill investigation to check for gas leaks inside and
16 out of the property. We confirm the meter reading
17 that we've billed the customer is correct and
18 otherwise, carefully examine the character of the
19 customer's gas usage. In this complaint --- in this
20 case, the Complainant refused our offer to conduct a
21 high bill investigation.

22 Q. Well, without a high bill investigation and the
23 information that it would've provided, are there other
24 factors that T.W. Phillips would've used to suggest or
25 support the fact that the meter reading through

1 February 9th, 2004 was accurately measured and billed?

2 A. Yes. In January 2004, the customer read her own
3 meter and based on that usage report, reported that
4 the readings to the company. She reported that
5 reading of 343, which amounted to only 5 Mcf of
6 natural gas since December 9th, 2003. We believe that
7 the one possible explanation for the high bill from
8 January of 2004 to February 2004 is that she misread
9 her meter in January of 2004. For example, if she
10 misread and reported to the company a meter reading of
11 353 as 343, then the January usage should've been
12 billed at 15 Mcf instead of 5 Mcf. And her usage from
13 January of 2004 to February 2004 would've been 18 Mcf
14 instead of 28 Mcf. It seems extremely --- entirely
15 possible that such a mistake could've been made, thus
16 offering a simple explanation for the high bill in
17 February of 2004.

18 Q. Does T.W. Phillips have any reason to believe that
19 Complainant's gas usage through February 9th, 2004 was
20 not correctly measured or billed?

21 A. No.

22 Q. Is this complaint a matter that was --- has
23 already been addressed by the Bureau of Consumer
24 Services in the form of an informal complaint?

25 A. Yes, it has.

1 Q. Did the Bureau of Consumer Services consider T.W.
2 Phillips's bill to be unreasonable when it considered
3 this informal complaint?

4 A. No.

5 Q. I'd like you to refer --- refer to you, please,
6 the document that's been marked for identification
7 purposes as T.W. Phillips Exhibit B and ask you to
8 identify this document, please.

9 (T.W. Phillips Exhibit B marked for
10 identification.)

11 A. This is the decision from the BCS complaint on
12 Case Number 1613877.

13 BY ATTORNEY DAWSON:

14 Q. Is this the informal complaint made by Jule
15 Johnson relative to her bill in February of 2004?

16 A. Yes, it is.

17 Q. Would you please --- referring to the first page
18 of this two-page document, Exhibit B, would you please
19 read through the conclusions that the Bureau of
20 Consumer Services reached in paragraphs two through
21 six before it reached a conclusion --- an overall
22 conclusion on the informal complaint?

23 A. Yes. Number two on the decision states that T.W.
24 Phillips reported the customer was billed for service
25 from November 4th, 2003 to December 9th, 2003 for 13

1 Mcf based on an actual read. Number three that T.W.
2 Phillips reports the customer was billed from service
3 from December 9th, 2003 to January 9th, 2004 for 5 Mcf
4 based on a customer read. Number four that T.W.
5 Phillips reports the customer was billed from services
6 from January 9th, 2004 to February 9th, 2004 for 28
7 Mcf based on an actual read. Number five states that
8 on February 19th, 2004, the company did a usage
9 comparison and explained to the customer the gas usage
10 at this address had decreased 18 percent and the
11 degree days had decreased 1 percent, and she was using
12 less gas than the previous customer. That the company
13 offered to schedule a high bill investigation to
14 reread the meter and check for gas leaks inside and
15 out and special test for a \$10 fee, and she declined
16 stating the company would be hearing from her lawyer
17 and hung up.

18 Number six that T.W. Phillips believed that on
19 January 9th, 2004, the customer possibly under read
20 the meter at a read of 343. The read possibly was 353
21 that this, therefore, caused a high bill in February
22 of 2004.

23 Q. Following their conclusions, what was the overall
24 result --- the decision of the Bureau of Consumer
25 Services with respect to this informal complaint?

1 A. Based on these findings, the Bureau of Consumer
2 Services concluded that the bills are correct as
3 rendered; therefore, has decided that the dispute of
4 Jule Johnson was denied.

5 Q. Based upon the efforts that T.W. Phillips took in
6 order to evaluate the meter-reading on the bill about
7 which Ms. Johnson complained, do you believe that
8 there is a legitimate basis for the formal complaint
9 that has been made in this case?

10 A. No. T.W. Phillips conducted a reasonable analysis
11 of Ms. Johnson's February 2004 billing circumstances
12 given her unwillingness to permit a standard high bill
13 investigation. There's been no evidence presented,
14 which identifies any error or mistake in either the
15 meter reading or the bill that was prepared and sent
16 to Ms. Johnson in February of 2004. This formal
17 complaint should be dismissed.

18 ATTORNEY DAWSON:

19 Your Honor, I would request that T.W.
20 Phillips Exhibits A and B be admitted for the record.

21 JUDGE CORBETT:

22 All right. They will be so ---.

23 ATTORNEY DAWSON:

24 I have no further questions of Ms. Lazzo.

25 JUDGE CORBETT:

1 All right. They will so be admitted.

2 JUDGE CORBETT:

3 Ms. Lazzo, one or two questions for you,
4 if I may. You indicated that often times the meters
5 are read by individual --- readers who may drive by
6 and read the meters from the truck; is this a visual
7 inspection or is this through some type of device
8 attached to the meter and a device used by the reader?

9 A. That would be a visual reading. We do not have a
10 transponder type of device to read our meters.

11 JUDGE CORBETT:

12 Okay. All right. One moment, please.
13 Okay, I have no further questions at this time. Ms.
14 Johnson, do you have any questions of Ms. Lazzo?

15 MS. JOHNSON:

16 She said the meter had to be visually
17 read?

18 JUDGE CORBETT:

19 Yes, ma'am.

20 MS. JOHNSON:

21 And then as I said, how could it --- to
22 be visually read, they'd have to get out of their
23 truck and walk over and read the meter.

24 JUDGE CORBETT:

25 Well, I don't want you to argue with the

1 witness at this point. I'll allow you to come back
2 ---.

3 MS. JOHNSON:

4 Well, I'm not. I'm just ---.

5 JUDGE CORBETT:

6 Just a minute, Ms. Johnson. At this
7 point, I want to keep some order to the process here.
8 I'm asking at this point, if you have any questions of
9 Ms. Lazzo, and then after she's done testifying, we'll
10 allow you to come back and testify to anything that
11 you think might need correction.

12 MS. JOHNSON:

13 No, okay, go ahead.

14 JUDGE CORBETT:

15 At this point, do you have any questions
16 of Ms. Lazzo?

17 MS. JOHNSON:

18 No.

19 JUDGE CORBETT:

20 Okay. Thank you very much, Ms. Lazzo. I
21 have no further questions. Anything further then, Mr.
22 Dawson?

23 ATTORNEY DAWSON:

24 Your Honor, I'd just like to clear up one
25 thing.

1 JUDGE CORBETT:

2 Sure.

3 REDIRECT EXAMINATION

4 BY ATTORNEY DAWSON:

5 Q. Ms. Lazzo, do you yourself know exactly where the
6 meter is on Ms. Johnson's residence?

7 A. I'm sorry. I do not.

8 Q. So do you know for a fact whether or not this is
9 one where the meter reader could actually get close
10 enough to it by driving on the road to read the meter
11 or not?

12 A. That I can't answer. No, I don't know the
13 location of the meter.

14 Q. If in fact the meter is far enough away from the
15 road to --- that the meter reader could not see the
16 meter from his or her place in the driver's seat of
17 the truck, how would the meter reader read this meter?

18 A. He would have to get out and walk up to the meter
19 to obtain a reading.

20 Q. Is the evidence or the information contained on
21 Exhibit A, the evidence to you in your mind to
22 establish the fact that actual meter readings have
23 been taken on the dates that you testified to earlier?

24 A. Yes.

25 Q. Can you offer any explanation for why Ms. Johnson

1 may not have seen a T.W. Phillips meter reader reading
2 her meter?

3 A. I cannot. I mean, they read hundreds of meters a
4 day and I mean, they are quick at reading them that
5 she possibly just missed the meter reader.

6 Q. Are you confident that T.W. Phillips certainly has
7 not gone for more than a year without reading this
8 meter on an every other month basis?

9 A. Absolutely not.

10 ATTORNEY DAWSON:

11 That's all the questions I have, Your
12 Honor.

13 JUDGE CORBETT:

14 All right. I have no further questions.
15 Any questions, Ms. Johnson, of Ms. Lazzo?

16 MS. JOHNSON:

17 No.

18 JUDGE CORBETT:

19 Okay. Anything else then, Mr. Dawson?

20 ATTORNEY DAWSON:

21 No, Your Honor.

22 JUDGE CORBETT:

23 Ms. Johnson, I stopped you at one point
24 from giving further testimony. At this point, after
25 listening to the testimony of Ms. Lazzo, do you have

1 any further testimony to give?

2 MS. JOHNSON:

3 No.

4 JUDGE CORBETT:

5 Okay. Mr. Dawson, do you have any
6 closing statement to make?

7 ATTORNEY DAWSON:

8 No, Your Honor. Just to reiterate that
9 the evidence indicates that the billing that was
10 rendered to Ms. Johnson in February of 2004 was based
11 on a meter reading, which after a reasonable
12 evaluation appears to be reasonable both in terms of
13 amount and volume. We agreed that it may be slightly
14 high in terms of the fact that her usage was about 7
15 Mcf higher than the usage that she and her mother used
16 during the same period in the prior year. I'm sorry,
17 it was approximately 7 Mcf lower than had been used
18 the prior year. They were close enough that the
19 comparison supports our contention that this was a
20 reasonable meter reading and it's something that she
21 certainly could have used.

22 JUDGE CORBETT:

23 Okay.

24 ATTORNEY DAWSON:

25 That the meter reading does indicate that

1 that volume of gas was used for the month ended
2 February 4th, 2004 --- February 9th, 2004.

3 JUDGE CORBETT:

4 Okay. Ms. Johnson, you have the last
5 word; do you have anything further you'd like to say?

6 MS. JOHNSON:

7 No, except I know it wasn't actually
8 read. And I didn't miss anybody.

9 JUDGE CORBETT:

10 Okay. All right. So the parties
11 understand the procedure from this point forward. I
12 will wait to receive a copy of the transcript from
13 this morning's hearing. That transcript should arrive
14 in this office within the next three or four weeks.
15 As my schedule permits, I will then sit down and draft
16 a decision in this case. That decision will be filed
17 within 90 days after receipt of the transcript. You
18 can expect a copy of that decision directly from the
19 Commission in Harrisburg. If you disagree with
20 anything that is stated in the decision, you have the
21 right to file what are called exceptions. There will
22 be an instructional letter that accompanies the
23 decision, which outlines for you the procedure to
24 follow if you wish to file those exceptions, please
25 note that the exceptions must be filed within the

1 deadline specified in the Commission's letter,
2 otherwise, the Commission will not review any late
3 filed exceptions.

4 Does either party have any question with regard to
5 the procedure from this point forward?

6 ATTORNEY DAWSON:

7 No, Your Honor.

8 MS. JOHNSON:

9 No.

10 JUDGE CORBETT:

11 Okay. Well, I thank the parties for
12 their participation and cooperation, and the hearing
13 is now adjourned. Thank you very much. Bye now.

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HEARING CONCLUDED AT 11:07 A.M.

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C E R T I F I C A T E

I hereby certify, as the
stenographic reporter, that the foregoing
proceedings were taken stenographically by
me, and thereafter reduced to typewriting
by me or under my direction; and that this
transcript is a true and accurate record
to the best of my ability.

Sharon C. Gansel

Court Reporter

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