

# RECEIVED

1-24-2012

James E. Creehan  
500 Hoodridge Dr. #805  
Pittsburgh, PA 15234

JAN 26 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

C-2012-2297124

Secretary  
PA PUC Box 3265  
Harrisburg PA 17105-3265

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EXCEPTIONS of James Creehan

Page 1 History of the proceedings

Hoyer avers that my complaint against DLC was filed March 22,2012, this date is not correct, the correct date was March 22,2011. He states that DLC's answer was filed April 25,2012, this date is also incorrect. DLC's assistant general counsel Krysia Kubiak filed DLC's answer on April 11,2011.

Page 2

Hoyer neglects to inform that the July 17, 2012 hearing evolved around the fact that DLC representative J. Allison, had violated the hearing officer's explicit order to send documents in a timely manner. At this Hearing, Hoyer refused to respond to my allegations of unethical conduct by both Hoyer and Allison where-in they had ex-parte contact to set the date of the hearing to accommodate Allison's vacation. Hoyer avers that at the September 26, 2012 hearing, I called Marie Tamilia as a witness, this another mistake on his part, Tamilia was Allison's witness that I questioned briefly.

FINDING OF FACT

#3 Hoyer has stated that I filed a complaint on March 17,2011, this is incorrect, I filed a complaint on March 14 that was returned and re-filed on March 22, 2011

#4 DLC's Certificate of Satisfaction did not reflect the fact that we did not agree on a satisfactory settlement, Kubiak offered me two alternatives, one was that DLC would replace my meter and two That DLC would return \$300.00 of the amount they overcharged.

Page 3

#5 Hoyer avers that I filed the instant complaint on March 22, 2012, when in fact I filed the instant complaint on March 15,2012. In the instant complaint, I did not allege that my electric bills were high for Dec. 2010 and Jan - Mar. 2011 that averment was made in the first complaint.

#6 I did not admit that same issues were involved in the instant case except as a reference to the malfunctioning meter.

DISCUSSION

To Hoyer's dismay, I have met the burden of proof in this complaint. The code requires that I establish the fact that DLC is responsible for the problem with my meter, this has been done. DLC's meter reader admitted that my meter was "spiking" during the period in question. Hoyer ignores the fact that the PUC had invited me to file a new complaint on 2-6-12 and 2-14-12. DLC filed a Certificate of Satisfaction that I did not agree with.. Hoyer is befuddled on dates, the latest being Jan. 3, 2013, the date of his order, I did not receive a copy of this decision until I received it as part of PUC secretary's notice.

CONCLUSIONS AND OBSERVATIONS

The record shows that I have been over billed by DLC.

The hearing officer , Hoyer is biased when faced with a complaint against DLC, he has constantly decided in favor of this greedy utility, one of his latest decisions on Jan. 28, 2011, granted an unwarranted rate increase to DLC .

*That Hoyer participated in ex-parte contact with DLC counsel.*

That Hoyer failed to discipline Allison for perjury and other unethical conduct in this case.

That Hoyer is incompetent, unfair and sloppy in his work.

*Hoyer should be summarily be dismissed.*

PUC supervisors, Sauers, Rubic and O'brien should be reprimanded and retrained they should Study the PA Code where it affects their duties. and investigator Bush, should be furloughed.

Thr commission should consider that we live in a small well insolated apartment, we do not use electric power for heating hot water or for clothes drying, and we installed a new high efficient refrigerator prior this incident and before receiving an outrageous monthly bill for \$412.00.

*James G. ...*  
2-5-13

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PITTSBURGH PA 15222 Zone-0 First-Class Letter 0.50 oz. Expected Delivery: Mon 01/28/13 Certified Label #: 70121640000180556185		\$0.45
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 5.14 (relating to service by party).

(List names and addresses of parties and manner in which each was served.)

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PA PUC Box 3265  
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MARK A. HOYER      CERTIFIED MAIL  
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301 5TH AVE  
PITTSBURGH PA 15222

JENNIFER L. ALLISON      CERTIFIED MAIL  
TUCKER ARENBERG, P.C.  
1500 ONE PPG PLACE PITTSBURGH PA 15223

Dated this TWENTY SIXTH day of JAN, 2013.

Jan E. Lehn  
(Signature)

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PA P.U.C.  
SECRETARY'S BUREAU

 Mr. James Creehan  
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05 FEB 2013 PN 3 L



ROSEMARY CHIAVETTA, SECRETARY  
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