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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Gnana Chinniah :  
 :  
 v. : F-2012-2325248  
 :  
 PPL Electric Utilities Corporation :

**EXCEPTIONS TO INITIAL DECISION OF ADMINISTRATIVE LAW JUDGE**

NOW COMES Gnana Chinniah (hereinafter referred to as "Complainant") and files  
13  
exceptions to the February 8, 2013 Initial Decision of Administrative Law Judge David A.

Salapa as follows:

I. FINDINGS OF FACT:

The Administrative Law Judge erred and abused his discretion in regard to the following findings of fact:

A. PPL Electrical Utilities Corporation (hereinafter referred to as "Respondent") relied on Patricia Rothrock's (hereinafter referred to as "Rothrock") misrepresentation and/or misstatement of facts as to whether the storage shed was given to her exclusive usage;

B. He failed to acknowledge and find that Rothrock was aware of an excepted fact that the electric service for the storage shed was controlled from the breaker box in her unit and that she had the option to turn it off;

C. Notwithstanding uncontested and undisputed testimony, he failed to acknowledge and recognize that Rothrock, during the various landlord/tenant hearings before the district justice never raised the issue of alleged "foreign wiring";

D. He failed to acknowledge and accept that Rothrock intentionally, knowingly, voluntarily and intelligently schemed, planned and manipulated the transfer of her entire domestic electrical usage account to Complainant;

E. He ignored the fact that Respondent presented no facts, testimony or evidence to support the conclusion that there was “foreign wiring” to a shed that was provided for the exclusive use of Rothrock and she controlled the flow of electricity to that shed;

F. He failed to accept and find that Rothrock and her sister, Leanne Bomgardner (hereinafter referred to as “Bomgardner”) colluded, conspired and manipulated the transfer of Rothrock’s domestic usage electric invoice to the Complainant;

G. He ignored the fact that Respondent presented no testimony from Rothrock or Bomgardner and as such it was an abuse of his discretion to reject any of Complainant’s testimony concerning the understanding and agreement between and among Complainant, Rothrock and Bomgardner;

H. Nowhere in the findings of facts in the Initial Decision is there a reason stated for the electrical account at 226 Lincoln Street being transferred into Complainant’s name, only that it was done;

I. By definition there was no “foreign load” registered or found at 226 Lincoln Street, Marysville, Pennsylvania;

J. As a practical matter there was no “foreign load” registered or found at 226 Lincoln Street, Marysville, Pennsylvania;

K. Respondent found no "foreign load" registered or found at 226 Lincoln Street, Marysville, Pennsylvania;

L. Any alleged "foreign load" was agreed to by all parties, fully disclosed to all parties and in fact, served both tenants.

## II. ERRORS OF LAW

The Administrative law judge made errors of law as follows:

A. He incorrectly and erroneously used PA Act 54 of 1993 to allow Respondent to transfer the personal consumer debt of a customer to Complainant;

B. Respondent improperly transferred the account of Rothrock to Complainant;

C. Respondent lacked any basis in law or fact for transferring the account of Rothrock to Complainant;

D. Respondent's unilateral transfer of the Rothrock account to Complainant was vindictive and retaliatory for Complainant's alleged refusal to give Respondent's investigator access to a portion of the "cellar" but said vindictive and retaliation acts have no basis in law or fact;

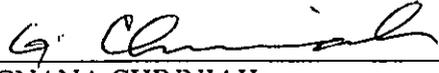
E. A finding of "foreign wiring" is inconsistent with and contrary to the testimony of Respondent's investigator who testified that he had no access to a portion of the "cellar";

F. 66 Pa.C.S. §1529.1 is not applicable for many reasons including the fact that 226 Lincoln Street did not contain more than one dwelling unit which was not individually metered; and

G. The net effect of his decision is to require Complainant to pay for all of the domestic electric use of a delinquent customer by alleging a "suspected" foreign load. But, the charges are not for a foreign load. Respondent only "suspected" a foreign load yet he wrote the Decision as though a foreign load was found, to wit: "Second, the Public Utility Code does not authorize the Respondent to collect foreign load charges from a tenant." There were no foreign load charges.

WHEREFORE, Gnana Chinniah respectfully requests that the Initial Decision of February <sup>13</sup>~~9~~, 2013 be reversed.

03/02/2013  
DATE

  
GNANA CHINNIAH  
506 Erford Road  
Camp Hill, PA 17011

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CERTIFICATE OF SERVICE

AND NOW, this 2<sup>nd</sup> day of March, 2013, I, Gnana Chinniah, do hereby certify that I have this day served by first class mail a copy of the attached *Exceptions to Initial Decision of Administrative Law Judge* to the following address:

Andrew H. Ralston, Jr., Esquire  
Gross McGinley  
33 South Seventh Street  
P.O. Box 4060  
Allentown, PA 18105-1060



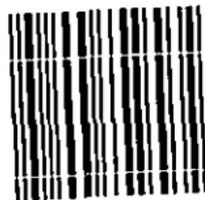
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