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March 25, 2013

VIA ELECTRONIC FILING
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Michael L. Kraemer v. Peoples Natural Gas Company LLC
at Docket No. C-2013-2351185

Dear Secretary Chiavetta:

On behalf of Peoples Natural Gas Company LLC, enclosed please find Peoples' Preliminary Objections, to be electronically filed in the above-referenced case.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be "JM".

Enclosures

cc: Michael L. Kraemer, 578 East End Ave., Pittsburgh, PA 15221
Kristen Englert

NOTICE TO DEFEND

To Complainant, Michael L. Kraemer:

You are hereby notified to file a written response to the **Preliminary Objections** presented herewith within ten (10) days from service hereof in accordance with 52 Pa. Code § 5.103 (c). Failure to do so may result in a Judgment being rendered against you.



Jennifer L. Petrisek
Counsel for Peoples Natural Gas Company LLC

**COMMONWEALTH OF PENNSYLVANIA
BEFORE
THE PUBLIC UTILITY COMMISSION**

Michael L. Kraemer) Complaint Docket
v.) No. C-2013-2351185
Peoples Natural Gas Company LLC)

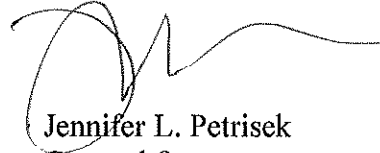
PRELIMINARY OBJECTIONS
OF PEOPLES NATURAL GAS COMPANY LLC

Peoples Natural Gas Company LLC (“Peoples”) respectfully submits these Preliminary Objections pursuant to 52 Pa. Code §5.101 and requests a dismissal of the formal complaint filed by Michael L. Kraemer (“Complainant”) in the above-captioned matter. In support of its request, Peoples avers as follows:

1. The subject complaint involves a dispute between Complainant and Experian, a third party agency that provides credit risk assessment reports to Peoples, over Experian’s determination of Complainant’s credit history using the Experian Telecommunications, Energy, and Cable Risk Model .
2. Peoples has no control over the information that Experian handles and the credit risk assessment report is required as part of Peoples’ procedures for an Applicant to acquire utility service.
3. As relief, Complainant seeks monetary damages in the way of alleged attorney fees incurred and fees associated with joining a credit protection/monitoring program.
4. The Commission has only the powers and authority granted to it by the General Assembly as contained in the Public Utility Code, and the Commission must act within, and not exceed, that authority. *Pickford v. Public Utility Com’n*, 4 A.3d 707 (Pa. Cmnlwth. 2010). The Public Utility Code does not grant to the Commission authority to compensate for alleged damages suffered and/or to recover attorney fees.
5. Complainant’s concerns regarding recovery of attorney fees and/or credit protection/monitoring program fees are better addressed in a Civil Court of Law.
6. Finally, the other from of relief sought by Complainant is a refund of a \$25.00 connection fee assessed by Peoples for establishing/transferring service at his residence into his name. This fee is charged to all applicants who continue service at a location from a prior ratepayer and would be assessed to any applicant, regardless of credit history and the assessment of a security deposit. This fee has been approved by this Commission and is found in the current tariff under which Peoples operates (“Exhibit A”).

Wherefore, Peoples respectfully requests that the Commission accept for filing and give due consideration to these Preliminary Objections and grant Peoples' request to dismiss this Complaint.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JP', with a long horizontal flourish extending to the right.

Jennifer L. Petrisek
Counsel for
Peoples Natural Gas Company LLC

RULES AND REGULATIONS**1. APPLICATION FOR SERVICE**

All Applicants desiring any type of service from the Company under this Tariff shall contact the Company and specifically request the type and nature of service. Upon request, the Company will inform the ratepayer of the identity of those NGSs offering retail service in its service territory and either provide a list of licensed suppliers or refer the ratepayer to the Commission for further information. In any circumstance where an application to the Company for any service under this Tariff involves or is related to an NGS, such application cannot and shall not be processed by the Company unless the Applicant and/or the Applicant's NGS provides the necessary information relating to service.

A non-residential Applicant for any service under this Tariff will be required to sign an application for natural gas service, unless the Company, in its sole discretion, accepts an oral application from a non-residential Applicant. The Company shall accept an oral application from a residential Applicant except that the Company may require a written application from a residential Applicant if the Company determines positive identification or other documentation is necessary. The Company may request driver's license information as positive identification. The Company will also review Company records and may also require additional documentation, as described in Commission regulations, to determine the applicant's liability for unpaid previously furnished service.

Upon the receipt of natural gas service, the Applicant shall become a ratepayer of the Company.

The ratepayer shall inform the Company in advance of any proposed additions to (or decreases in) the ratepayer's connected natural gas load.

The Company shall charge a transfer fee of \$25 to residential and commercial applicants when natural gas service is not being initiated or reinstated but is continuing from a prior ratepayer who is not the builder of a residence or commercial building. The Company shall charge a connection fee of \$74 for residential applicants and a connection fee of \$98 for commercial applicants when natural gas service is being initiated for the first time or had been previously discontinued at the location. In no case shall a connection fee or transfer fee be charged to a residential ratepayer whose income does not exceed 150 percent of the Federal Poverty Level and/or who is eligible to receive a LIHEAP award; or to the builder of a residence or commercial building who is using natural gas during the construction process; or to a ratepayer in a competitive posture, as determined in the sole discretion of the Company. The initial occupant of newly constructed residences or commercial buildings will be charged the \$74 or \$98 connection fee. Separate connection fees for reinstatement of service after termination by the Company are set forth in Rule 5.

2. CHARACTER OF SERVICE

The Company offers firm service, unless otherwise provided in this tariff.

3. RULES FOR DEPOSIT

A deposit from a ratepayer shall conform to the Commission's regulations and applicable statutory requirements. Deposits required by the Company for Tariff regulated charges shall not be based on unpaid supplier charges.

Residential Applicant/Ratepayer

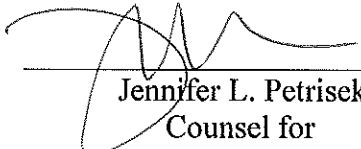
- a. The Company will provide service without requiring a deposit when the applicant provides adequate identification and satisfies the following requirements:
 - i. Has not failed to pay an undisputed delinquent account.
 - ii. Has not failed to complete payment of a deposit, provide a guarantee or establish credit.
 - iii. Has not failed to provide access to meters, service connections, or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.
 - iv. Has not engaged in unauthorized use of the utility service delivered on or about the affected dwelling.
 - v. Has not failed to comply with the material terms or conditions of a settlement or payment agreement.
 - vi. Has not engaged in fraud or material misrepresentation of identity for the purpose of obtaining utility service.
 - vii. Has not tampered with meters, including, but not limited to, bypassing a meter or removal of an automatic meter reading device or other public utility equipment.

CERTIFICATION OF SERVICE

I hereby certify that I have served a copy of the foregoing Preliminary Objections
and Answer to Complaint upon:

Michael L. Kraemer
578 East End Avenue
Pittsburgh, PA 15221

Done at Pittsburgh, Pennsylvania, this 25th day of March, 2013.



Jennifer L. Petrisek
Counsel for
Peoples Natural Gas Company LLC