

RECEIVED

2013 MAY -1 2:10:31

PA.P.U.C.
SECRETARY'S BUREAU

April 28, 2013

Charles Raymond Stato
405 Avenue F
Matamoras, PA 18336-1115
570-491-5831
Mail Address: PO Box 191
Sparrow Bush, NY 12780-0191

REGARDING: F-2013-2342378~
F-2013-2342385

(Charles Raymond Stato v. Pike County Light and Power Company and

Direct Energy Services

and Orange and Rockland Utilities and Rockland Electric and Con

Edison)

John J Galagher, Esquire
Counsel for Pike County Light and Power Company
and, Enver Acevedo, Esquire
Counsel for Con Edison and Orange and Rockland Utilities
and Subsidiary; Pike County Power and Light
711 Forrest Rd
Harrisburg PA 17112
and; 4 Irving Place, Room 1815-S
New York, NY 10003
Dear Mr. Galagher,

As you seem to be the Pricipal Attorney for your Conglomerate; who is involved in this case; I have tried to contact you numerous times. I left a couple of messages on different dates on your Voice Mail while there was still a Voice Mail attached to your phone number of 717-599-5839. After more than approximately several weeks, I still have not received an answer or return call or message to the messages I left on your Voice Mail.. After your number was no longer attached to a Voice Mail; and, a live person still did not answer the herein referenced phone, I contacted the Commonwealth of Pennsylvania Office of the Administrative Law Judge to see if I had the correct phone number; and, I was told it was the same number as herein referenced.

Therefore, I am taking this opportunity to contact you by United States Mail instead.

Furthermore, I understand that you have been directed to reach out to me to see if there is an Out of Court Settlement possible in the herein referenced matter.

I also understand from the Prehearing Order dated March 5, 2013; and signed by The Honorable Susan D. Colwell, Administrative Law Judge, in paragraph seven (7) of that Order; that even if we are unable to settle this Case, (we) "may still resolve as many questions or issues as possible during (our) informal discussion."

As you are most probably aware, the entire Case has now been postponed to a Telephonic Hearing Date of Wednesday, May 22, 2013; and, Direct Energy has been re-joined; so that this is all one case; and, not two separate cases; and; they would also be at the Telephonic Hearing on May 22, 2013; only three weeks from now....

I reached out to the Office of Carl Shultz Esquire of Eckert Seamans Cherin & Mellott LLC; Counsel for Direct Energy; and, Mr Shultz called me back almost immediately; and, We had an Informal Discussion which lasted an Hour or More.

Mr Shultz listened to everything I had to say; and, I tentatively believe we may be able to settle this matter Out of Court; in accordance with 52 Pa. Code Rule 5.23(a); and, the PREHEARING ORDER of Judge Colwell dated March 5, 2013.

However; the Possible Settlement depends on my discussion with You; and, then; I promised Mr Schutz that I would get back to him after speaking with YOU...

I sincerely believe we can settle this matter; and, I will discuss this shortly in this letter.

FIRST OF ALL, I would like to explain that the INITIAL REASON for my Discussion with Mr Schultz was to find out whether He is Willing to Provide for INFORMAL DISCOVERY in this matter. He indicated that he is willing to provide for INFORMAL DISCOVERY.

I went on to discuss with him the fact that Before Informal PUC Investigator Cornelia Schneck took over this matter for me, I had spoken with at least three different people at DIRECT ENERGY.

If there is a Need to Continue with this Case, I would need to call all three of those people as witnesses.

I WOULD ALSO NEED TO CALL; (off the Top of my Head); APPROXIMATELY EIGHT TO TEN PEOPLE FROM ORANGE AND ROCKLAND AND PIKE COUNTY POWER AND LIGHT WHO I SPOKE TO ON THE PHONE AND WHO I ALSO ALLOWED INTO MY HOME HERE IN MATAMORAS PA. (The people I spoke with were I believe at the Spring Valley or Port Jervis New York address; although it is possible they may have been at the Milford PA address; but, the number I spoke to them at was a Spring Valley New York Number; and, the People who I allowed into my Home here in Matamoras PA had trucks that had the "Orange and Rockland NY Insignia on them and some of them wore Baseball Caps that said "Orange and Rockland" on them...)

It may be difficult to have all of these people on the phone at the same time; but; even if that is possible; I need to do a FORMAL DISCOVERY in order to serve all these people with the necessary papers. Some of them may or may not still be working for Direct Energy and Pike County Power and Light and Orange and Rockland Utilities.

My unanswered Voice Messages to your phone asked you if you are WILLING to ALLOW an INFORMAL DISCOVERY. Since I have had no response from you, I don't know what your answer is to this question...

Even if you ARE WILLING to ALLOW an INFORMAL DISCOVERY; at this point; I don't know if I have sufficient time to Locate all of these Witnesses and Serve them with the necessary papers.

If you are NOT WILLING to ALLOW INFORMAL DISCOVERY, I Must then go through FORMAL DISCOVERY; and I do not believe I have enough time to do a Formal Discovery for a total of Eleven to Thirteen People who all must be on the Phone at the Telephonic Hearing in LESS THAN THREE WEEKS TIME on May 22, 2013.

FURTHERMORE, ALL OF THESE PEOPLE; IF THEY ARE STILL EMPLOYED AT DIRECT ENERGY AND PIKE COUNTY POWER AND LIGHT AND ORANGE AND ROCKLAND UTILITIES WOULD HAVE TO BE TAKEN AWAY FROM THEIR JOBS IN ORDER TO TESTIFY AT THE TELEPHONIC HEARING; AND; PROBABLY HAVE TO BE CALLED TO GO TO HARRISBURG FOR A COUPLE OF DAYS TO TESTIFY IN PERSON IN THE EVENT THE TELEPHONIC HEARING LED TO A FORMAL COURTROOM PHYSICAL APPEARANCE...

Obviously this would not be very efficient or productive for Direct Energy and Pike County Power and Light and Orange and Rockland; and, the Company which you are the Council for would probably prefer that it's employees were not absent from work and/or on a two day diversion to Harrisburg and the Court.

Furthermore all of this takes a very large amount of Time away from the pursuits and interests of yourself and every person involved in this matter. The total dollar value of the outcome for the winner of the case would be far less than the amount spent to bring this matter to a full and formal conclusion.

Therefore, I reached out to Mr Schultz; and, I am hereby also reaching out to you, Mr. Galagher to settle this matter Out of Court; as per the aforementioned Directive of the Court in the Prehearing Order referenced herein.

I AM WILLING TO SIGN OFF ON ALL FUTURE CLAIMS AND LAWSUITS AGAINST

DIRECT ENERGY AND PIKE COUNTY POWER AND LIGHT AND ORANGE AND ROCKLAND AND CON EDISON IF YOU ARE WILLING TO DROP THIS ENTIRE MATTER AND CORRECT OR ADJUST THE ALLEGED BALANCE DUE OF \$3578.40 SO THAT IT SHOWS AS \$0.00 (zero) DUE

(It should be further noted that the amount due as of September 24, 2012 was allegedly \$3608.80. After paying the \$62.75 Electric Charge and the \$20.53 Gas Charge which was due on September 24, 2012, the Total Balance Due on September 24, 2013 was \$3525.52; (NOT \$3578.40)

It should be further noted that I have made the subsequent payment of what was due every single month; but NOT THE CONTESTED \$3525.52 or the ALLEGED BALANCE OF \$3578.40.

IT SHOULD BE FURTHER NOTED THAT INFORMAL INVESTIGATOR CONELIA SCHNECK OBTAINED TWO REFUNDS WHICH ONLY CONSTITUTED A PARTIAL REIMBURSEMENT FOR THE ALLEGED \$3578.40 CONTESTED BALANCE DUE. THESE TWO REFUNDS ARE EXHIBIT "B" (PAGE 15) AND EXHIBIT "C" (PAGE 16) OF MY ORIGINAL FORMAL COMPLAINT DATED DECEMBER 23, 2012.

THESE TWO PARTIAL REIMBURSEMENTS WERE NEVER ADJUSTED FROM THE ALLEGED BALANCE DUE OF \$3578.40.

The amount of the first reimbursement check was \$947.47 and it was dated October 19, 2012; (Exhibit "B" in the Formal Complaint)

The amount of the second reimbursement check was \$1013.85; and, it was dated October 30, 2012.

THESE REIMBURSEMENTS WERE OBTAINED BY PUC INVESTIGATOR CORNELIA SCHNECK WHILE SHE WAS STILL ASSIGNED TO THIS MATTER. I NEVER REQUESTED THESE REIMBURSEMENTS; THEY WERE REQUESTED BY MS. SCHNECK.

THE REIMBURSEMENTS WERE MAILED TO ME MONTHS AFTER I WAS NO LONGER BEING ALLEGEDLY SERVICED BY DIRECT ENERGY.

HOWEVER PIKE POWER AND LIGHT OR ORANGE AND ROCKLAND NEVER ADJUSTED THE ALLEGED \$3578.40 BY THESE AMOUNTS. IF THEY HAD DONE SO THE BALANCE OF SEPTEMBER 24, 2012 SHOULD HAVE SHOWN AS \$1564.20 AS OF OCTOBER 30, 2013; (THE DATE OF THE SECOND REIMBURSEMENT).

I have suggested to Mr Schultz that I am willing to forgive the final reimbursement due in the amount of \$1564.20 if Direct Energy and Pike County Power and Light and Orange and Rockland; etc. CORRECT OR ADJUST MY BALANCE DUE TO \$0.00 (ZERO) AS OF SEPTEMBER 24, 2012.

MR GALAGHER; I AM MAKING THE SAME OFFER TO YOU. YOUR COMPANY HAS NEGLECTED TO ADJUST MY ORANGE AND ROCKLAND; PIKE COUNTY POWER AND LIGHT BILL SO THAT THE ALLEGED BALANCE OF SEPTEMBER 24, 2012 SHOWS AS \$1564.20.

I AM WILLING TO FORGIVE THE ADDITIONAL \$1564 WHICH YOU AND/OR DIRECT ENERGY OWE ME; IF YOU WILL CORRECT AND/OR ADJUST THE ENTIRE AMOUNT OF \$3525.52 WHICH WAS ALLEGEDLY DUE ON MY BILL AS OF SEPTEMBER 24, 2012; SO THAT MY BALANCE AS OF SEPTEMBER 24, 2012 SHOWS AS ZERO (\$0.00).

(\$1961.32 OF THIS HAS ALREADY BEEN REFUNDED BY YOU AND/OR DIRECT ENERGY; BUT YOU HAVE NEGLECTED TO SUBTRACT THIS AMOUNT WHICH WAS REFUNDED ON OCTOBER 19 AND OCTOBER 30, 2012; BUT, YOU HAVE NEGLECTED TO SUBTRACT IT FROM THE ALLEGED AMOUNT OF \$3525.52 WHICH WAS MY ALLEGED BALANCE ON SEPTEMBER 24, 2012.

IN RETURN FOR BRINGING MY ALLEGED BALANCE OF \$3525.52 ON SEPTEMBER 24, 2012 TO ZERO SO THAT IT SHOWS AS \$0.00 (ZERO) AS OF SEPTEMBER 24, 2012 I WILL DROP MY ENTIRE FORMAL COMPLAINT AGAINST DIRECT ENERGY AND PIKE POWER AND LIGHT AND ORANGE AND ROCKLAND AND CON EDISON OF NEW YORK.

I AM NOT ASKING YOU TO ADJUST ANY AMOUNT THAT HAS BEEN DUE SINCE SEPTEMBER 24, 2012; I HAVE PAID THE ENTIRE BALANCE DUE EVERY MONTH AS IT WAS DUE FOR THE PRECEDING MONTH.

FURTHERMORE, I PAID MORE THAN MY BALANCE DUE ON JUNE 30TH; (I PAID \$250.00) EVEN THOUGH I WAS NOT SENT A BILL BECAUSE YOUR BILLING OFFICE OF ORANGE AND ROCKLAND PIKE COUNTY POWER REALIZED THAT THE METER HAD TO BE BROKEN; ACCORDING TO THE CUSTOMER SERVICE REP I SPOKE WITH AT THE TIME OF NOT GETTING A BILL... I PAID THE \$250 WITHOUT SPEAKING TO ANYONE FIRST; AS, I HAD WAITED FOR AND CHECKED MY MAIL FOR A BILL EVERY DAY. WHEN IT DID NOT ARRIVE BY JUNE 30TH. I PAID ANYWAY...

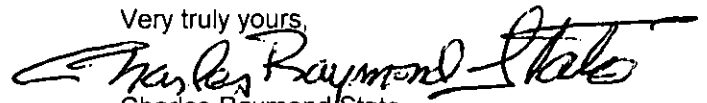
BESIDES DROPPING THIS ENTIRE CASE AND MY ENTIRE FORMAL COMPLAINT, IF YOU AGREE TO THIS DEAL; I WILL ALSO DROP ANY FUTURE LAWSUITS OR COMPLAINTS AGAINST PIKE COUNTY POWER AND LIGHT AND ORANGE AND ROCKLAND AND DIRECT ENERGY AND CON EDISON.

IF YOU ACCEPT THIS DEAL I WILL ALSO NOT REPORT YOU TO ANY GOVERNMENT AUTHORITY OR AGENCY AND WILL NOT FILE ANY COMPLAINT WITH ANY CONSUMER PROTECTION BUREAU ; NOR WILL I PURSUE THESE MATTERS IN ANY HIGHER COURT OF LAW.

Please be advised that nothing that I have offered in this letter may be used against me in the Court of the Pennsylvania Public Utility Commission or the Court of the Pennsylvania Administrative Law Judge; nor, in any Court of Law, in the event that my OFFER To SETTLE OUT OF COURT is Not Accepted; and, I reserve all of my Rights in that event.

I look forward to settling this matter; and, to saving everyone affected by this matter time and money and unneeded stress.
Thank you for your attention in this regard.

Very truly yours,



Charles Raymond Stato

April 29, 2013

CC: Administrative Law Judge Susan D Colwell
PO Box 3265
Harrisburg, PA 17105-3265

Carl Schultz, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101

The Honorable Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Enver Acevedo, Esq
Senior Attorney, Con Edison
4 Irving Place, Room 1815-S
New York, New York 10003

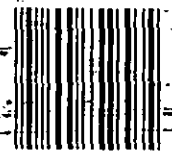
Joe Clark, Esq
Manager, Government and Regulatory Affairs

Direct Energy Services, LLC
6641 North High Street, Suite 200
Worthington, OHIO 43085

Charles Raymond L'eto
P.O. Box 191
Spanaway Bush,
NY 12780

17105 3265 3265 3265

29 APR 2013



1000

17105

U.S. POSTAGE
PAID
PORT JERVIS, NY
12771
APR 29, 13
AMOUNT

\$0.46
00086873-12

The Honorable Rosemary Chavetta
Secretary, Pennsylvania
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

171053265

