

1624 Twin Pine Road
Stroudsburg, PA 18360

February 27, 2014

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

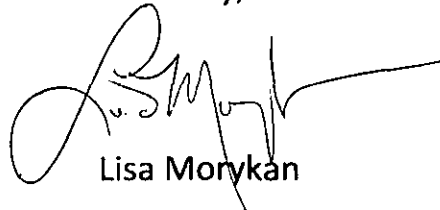
Re: Lisa Morykan vs. Metropolitan Edison Company
Docket No. C-2014-2403154

Dear Ms. Chiavetta:

Enclosed herewith are my typed responses denying or correcting the Preliminary Objections of Metropolitan Edison Company to my Formal Complaint in the above captioned matter.

Copies have been sent to all parties as indicated below on the date of this correspondence.

Sincerely,



Lisa Morykan

Enclosure

cc: Danielle Jouenne, Esquire
Via first class mail

RECEIVED
2014 MAR -3 AM 11:44
PA.P.U.C.
SECRETARY'S BUREAU

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PRELIMINARY OBJECTIONS TO THE COMPLAINT

2014 MAR -3 AM 11:44

I. Introduction

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

1. Denied. I did not allege Met-Ed improperly transferred the balance of Account No. 100089469363 ("Tenant's Rental Account") in the amount of \$323.13 to my Account No. 100075636439 ("Pump House Account"). I stated that I felt it was unfair to pay \$323.13 for four months of electric use for a dawn to dusk light that was confirmed by the Met-Ed technician to be on the Tenant's meter for something that should only cost a maximum of \$10 total for each month and didn't understand why I had to pay for his household electric that I had no access to.

2. Accepted and Denied. I was unaware that the dusk to dawn light was on the Tenant's meter until the Met-Ed technician came out to test the service after the complaint was filed by the Murphy household. The dusk to dawn light was removed from the Tenant's meter immediately the same day that the technician came out to investigate.

3. Accepted and Denied. I requested a credit of \$283.13 against my account as although the foreign load from the dusk to dawn light is consistent with the Commission's policy pursuant to the Pennsylvania Public Utility Code ("Code") Section 1529.1, the foreign load is de minimis. As per section 1529.1:

The Commission's Bureau of Consumer Services (BCS) has employed in its informal proceedings a policy where under a dwelling unit would be considered to be individually metered where only minimal foreign load is registered by that unit's meter. Under this policy, wiring and piping for a unit would not need to be reconfigured to remove foreign load where, after a reasonable investigation of all circumstances, the foreign load was found to be minimal. Also, under this policy, where after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name. A customer who did not want to be responsible for the foreign load could file civil suit against the building owner or could file a formal Commission complaint against the utility.

The Commission believes that under specific circumstances allowing minimal foreign load to be recorded by the meter (without affecting a dwelling unit's status of being individually metered) is not contrary to the intent of the statute. Therefore, the Commission proposes adopting a broader definition of "an individually metered dwelling unit," consistent with BCS usage, so as to include those units with meters that register minimal foreign load⁵.

4. Accepted and Denied. As explained above with the excerpts, I agree Met-Ed was within the code to transfer the funds to my account but feel that the

entire household amount was unfair and unjust and request relief due to de minimis.

5. Denied. I hereby request the Formal Complaint remain on file and continue forward.

II. **Background**

6. Accepted

7. Accepted

8. Accepted

9. Accepted

10. Denied. I have no knowledge of when the Tenant contacted the Company to report a shared metering situation. I received a letter from Met-Ed on or about June 25, 2013 advising of an investigation into a shared meter at our address. I contacted Met-Ed at the number that was provided in the letter for the meter department and left messages on July 1, 2013 at 10:24 a.m., 11:07 a.m., and 4:29 p.m. I also called back on July 2, 2013 at 2:34 p.m. and left another message after not receiving any call back. At 2:36 p.m. on the same date, I called the 800 number for further assistance and spoke to Wanda. She explained to me that Patrick Murphy contacted the company with the following complaint: "When the breaker is turned off, Mr. Murphy verified that the outside dusk to dawn light along with an outlet in the pump house and sewer and well pumps were on his line." He also called back at a later date after the initial call to state per Wanda, "He feels there is an electric wire running up to a chicken coop on another property owner's property". Wanda notified me that I was ok and service would not be terminated as per the letter because I called and that an appointment would be set after July 8, 2013 for a technician to come out to the property to verify this information.

11. Accepted.

12. Accepted.

13. Denied. I have no knowledge of this.

14. Accepted and Denied. I was only made aware of a shared metering situation after Tenant Patrick Murphy notified Met-Ed of a problem instead of notifying me. This property was purchased July, 2008 and there were separate electric bills and meters therefore it was assumed that each service was true and correct. I am not demanding but merely requesting a credit against my account of \$283.13 and being held responsible to pay \$40.00 which is reasonable for an outdoor dusk to dawn light during the timeframe. According to the Pennsylvania Public Utility Code Section 1529.1, again the load is de minimis:

The Commission's Bureau of Consumer Services (BCS) has employed in its informal proceedings a policy where under a dwelling unit would be considered to be individually metered where only minimal foreign load is registered by that unit's meter. Under this policy, wiring and piping for a unit would not need to be reconfigured to remove foreign load where, after a reasonable investigation of all circumstances, the foreign load was found to be minimal. Also, under this policy, where after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name.

15. Accepted.

III. Preliminary Objection Regarding Legal Insufficiency Pursuant to 52 Pa. Code 5.101(a) (4).

16. Accepted and Denied. The existence of shared electric was only brought to my attention once the Tenant complained to Met-Ed and the investigation ensued. As previously stated, I was under the impression that all services were divided correctly when we purchased the property in 2008 as everyone including myself had a separate electric meter and bill. I do ask for the Commission to grant relief based on Pa. Public Utility Code Section 1529.1 regarding the minimal usage for the outdoor dusk to dawn light which only operates during the dark hours.

17. Accepted.

18. Accepted.

19. Accepted.

20. Accepted.

21. Accepted.

22. Accepted and Denied. I am seeking relief of a credit of \$283.13 against my account not demanding one for estimated electric service that was used by the Tenant during the time frame for which I was unable to access these particular services which included but was not limited to air conditioning, two ceiling fans, stove and oven, refrigerator, televisions and microwave. I am "requesting" a charge against my bill in the amount of \$40.00 only which would represent the minimal usage of an outdoor dusk to dawn light which operated during nighttime hours only.

23. Accepted.

24. Accepted and Denied. While Met-Ed followed the code, the BCS (Commission's Bureau of Consumer Services) employed a policy under section 1529.1:

a dwelling unit would be considered to be individually metered where only minimal foreign load is registered by that unit's meter. Under this policy, wiring and piping for a unit would not need to be reconfigured to remove foreign load where, after a reasonable investigation of all circumstances, the foreign load was found to be minimal. Also, under this policy, where after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name.

25. Accepted.

26. Accepted and Denied. Again, I revert back to Section 1529.1 of the Commission's Bureau of Consumer Services Code:

a dwelling unit would be considered to be individually metered where only minimal foreign load is registered by that unit's meter. Under this policy, wiring and piping for a unit would not need to be reconfigured to remove foreign load where, after a reasonable investigation of all circumstances, the foreign load was found to be minimal. Also, under this policy, where after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name.

27. Accepted and Denied. Under Code Section 1529.1 it also follows by saying:

a dwelling unit would be considered to be individually metered where only minimal foreign load is registered by that unit's meter. Under this policy, wiring and piping for a unit would not need to be reconfigured to remove foreign load where, after a reasonable investigation of all circumstances, the foreign load was found to be minimal. Also, under this policy, where after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name.

28. Accepted.

29. Accepted and Denied. As per Code Section 1529.1 this foreign load was minimal and I should not be responsible for Tenant's entire delinquent account balance including arrearages.

30. Accepted and Denied. I admitted in my Formal Complaint that I had no knowledge of the outdoor dusk to dawn light being on another service but also explained that it was that way when the property was purchased in 2008. Met-Ed transferred \$323.13 from the Tenant's account to my account for their balance and arrearages. How could the Tenant obtain electric service in her name? Judy Murphy works for cash and has no reportable income therefore, how can she have electrical service in her name in the first place.

31. Accepted and Denied. I will not falsely deny an allegation against me if it is valid and therefore, verify the existence of the outdoor dusk to dawn light as a foreign load on my Tenant's meter as was investigated and verified between a Met-Ed technician and myself. I do not admit to knowing there was a shared meter issue prior to this investigation as things were as they were when we purchased the property with separate meters for each person. This property was a rental during the period before our purchase. The Commission did employ a policy whereas "after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name. Section 1529.1

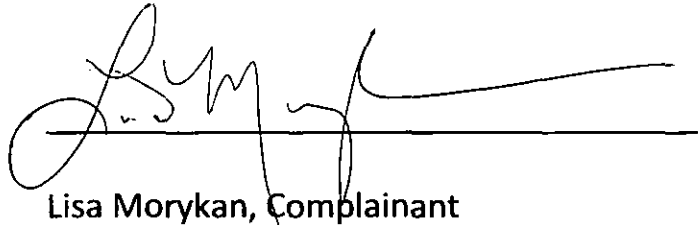
32. Accepted and Denied. Met-Ed complied with the Public Utility Commission's Code but did not fully investigate at the premises that the foreign load on the Tenant's meter was minimal and therefore, should remain on their bill as per Section 1529.1. While admitting that Met-Ed transferred the Tenant's balance to my account in the Formal Complaint, that does not confirm that I accepted the shared metering situation. This outdoor dusk to dawn light uses minimal electricity and had the Company checked further, they would have found that it is de minimis. All that was performed when the technician was dispatched to our property was checking to see which meter each of the Tenant's complaint items were on ie; outdoor dusk to dawn light, indoor electrical outlet in well house, well and sewer pumps.

33. Therefore, I feel my complaint is legally sufficient because it does state a claim upon which the Commission can grant relief and hereby request that a hearing takes place to resolve this issue since it would serve the public interest in this matter.

IV. Conclusion

As stated in my responses, I hereby request that the Commission acknowledge my responses and continue my Formal Complaint in its entirety because I have stated a claim for which relief may be granted through the Commission and the Company has not thoroughly investigated the minimal use of the outdoor dusk to dawn light for which they are demanding a Tenant's full electric usage including arrearages.

Submitted,



A handwritten signature in black ink, appearing to read 'Lisa Morykan', is written over a solid horizontal line. The signature is cursive and extends to the right of the line.

Dated February 27, 2013

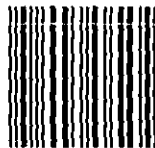
Lisa Morykan, Complainant

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Morykan
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