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May 16, 2014

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

RE: Avram Yushan v. PPL Electric Utilities Corporation
Docket No. C-2014-2399855

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter are an original of the Reply of PPL Electric Utilities Corporation to Complainant, Avram Yushan, along with the attached Certificate of Service.

Pursant to 52 Pa. Code §1.11, the enclosed document is to be deemed eFiled on or before May 16, 2014.

Thank you for your cooperation in this matter.

Very truly yours,



KIMBERLY G. KRUPKA

KGK/dm
Enclosures

cc: Avram Yushan (w/enc)
Administrative Law Judge Mary D. Long (w/enclosure); *via email only*
Kimberly R. Safford (w/enclosure); *via email only*

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Avram Yushan

v.

PPL Electric Utilities Corporation

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C-2014-2399855

**RESPONDENT PPL ELECTRIC UTILITIES CORPORATION'S REPLIES TO
COMPLAINANT'S EXCEPTIONS**

AND NOW Comes the Respondent, PPL Electric Utilities Corporation (hereinafter "PPL Electric") by and through its counsel, Gross McGinley, LLP, files the following Replies to Complainant's Exceptions and in support thereof avers as follows:

1) Reply to Complainant's letter Exceptions.¹ On May 12, 2014, Respondent, PPL Electric received undated Exceptions of Complainant in the mail. The letter does not contain a date, there is no Certificate of Service, and the online docket does not contain a filing date. Accordingly, PPL Electric will presume that such Exceptions were filed on the last business day before receipt, namely Friday, May 9, 2014.

A review of the Exceptions reveals that Complainant has not complied with the Pennsylvania Code and has failed to cite to any specific page of the Initial Decision, Finding of Fact or Conclusion of Law to which he excepts. Nonetheless, in the event the Commission elects to entertain the arguments of Complainant contained within the letter, PPL Electric files this response.

¹ Complainant has filed Exceptions in letter format without specifically referring to the Findings of Fact or Conclusions of Law set forth by the Administrative Law Judge.

It appears that Complainant's Exceptions reiterate his original Complaint that although he is the owner of the rental property which contains foreign wiring, he should not be responsible for the costs of service as he did not initially request service be placed in his name. Such argument is contradictory to the facts and law. Administrative Law Judge Long correctly found that Complainant is responsible for the electric service as the owner of the premises.

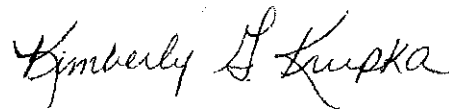
ALJ Long relied on Complainant's own testimony in finding that he is the owner of a four unit building which contains two studios and two apartments. (N.T. 7, 17, 40). Although Complainant may have entered into a rent to own agreement, at all times relevant hereto, Complainant was the record owner of the premises. (N.T. 9, 14-15).

In November 2013, Respondent PPL Electric received a complaint from one of the tenants concerning a perceived high bill. (N.T. 22). At that time, the PPL Representative, Ronald Hoffman, observed a light in the basement shining through open floorboards. The premises had three meters assigned to it. During the investigation, Ronald Hoffman determined that two of the three meters were blocked and inactive. The only active meter servicing the building was the meter assigned to the tenant. (N.T. 40). Accordingly, Ronald Hoffman verified that the light in the basement was being billed to the account in the name of the tenant. (N.T. 24, Exh. 4A and 4B). As the tenant did not have exclusive usage of the basement (and in fact no usage of the basement), this constituted foreign load. Accordingly, PPL Electric placed the two account balances associated with the premises into the name of Complainant, as the owner of the premises. (N.T, 35). The ALJ correctly found that the four-unit building, which had only three electric meters and no house meter, contained foreign load. The ALJ correctly

determined that upon confirmation of the foreign load, PPL Electric acted properly in placing the accounts, including current balances, in the name of the owner. Moreover, as long as Complainant's building is occupied by residential customers, the accounts must stay in the name of the Complainant (landlord).

Respectfully submitted,

GROSS MCGINLEY, LLP



By: _____

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Attorneys for PPL Electric Utilities Corporation

Dated: May 16, 2014
at Allentown, Pennsylvania

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Avram Yushan

v.

PPL Electric Utilities Corporation

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C-2014-2399855

CERTIFICATE OF SERVICE

This is to certify that the **RESPONDENT PPL ELECTRIC UTILITIES CORPORATION'S REPLIES TO COMPLAINANT'S EXCEPTIONS** on behalf of PPL ELECTRIC UTILITIES CORPORATION was mailed to counsel/complainant of record AVRAM YUSHAN, on behalf of Respondents by first class United States mail, postage on this the 16th day of May 2014.

AVRAM YUSHAN
2507 TREMONT AVENUE
EGG HARBOR TOWNSHIP, NJ 08235-5563

DATE: 5/16/14

GROSS MCGINLEY, LLP



BY: _____

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