

October 2, 2014

Via Electronic Filing

Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
Commonwealth Keystone Building, 2 North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2014-2434701
Ashley Harple v. Pennsylvania Electric Company
Answer of Penelec to Complainant's Motion to Amend Complaint**

Dear Secretary Chiavetta:

Attached for filing is the Answer of Respondent, Pennsylvania Electric Company (Penelec), to the Motion to Amend Complaint of Ashley Harple (Complainant).

A copy of the Answer has been forwarded to the participants in the manner indicated on the attached Certificate of Service.

If there are any questions, please contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/jmm
Enclosure

cc: The Honorable Mark A. Hoyer, PA Public Utility Commission [w/enc.]
Lauren Lepkoski, Esquire, FirstEnergy Service Company [w/enc.]
James S. Ehman, Esquire, Margolis Edelstein [w/enc.]
Keenia Joseph, North American Power and Gas, LLC [w/enc.]

**Re: Docket No. C-2014-2434701
Ashley Harple v. Pennsylvania Electric Company
Answer of Penelec to Complainant's Motion to Amend Complaint**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the person(s) on this service list, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).


Via Electronic Mail

James S. Ehrman, Esquire
Margolis Edelstein
525 William Penn Place
Suite 3300
Pittsburgh, PA 15219
jehrman@margolisedelstein.com

Via First Class Mail

North American Power and Gas LLC
Attn: Keenia Joseph, Dir. Reg. Affairs
20 Glover Avenue
Norwalk, CT 06851

Dated: October 2, 2014


Margaret A. Morris, Esq.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ASHLEY HARPLE :
 :
 v. : Docket No. C-2014-2434701
 :
 PENNSYLVANIA ELECTRIC COMPANY :

**ANSWER OF PENNSYLVANIA ELECTRIC COMPANY TO THE
COMPLAINANT’S MOTION TO AMEND COMPLAINT TO JOIN
INDISPENSABLE PARTY AND REQUEST FOR CONTINUANCE**

Pennsylvania Electric Company (Respondent or Company), by and through its attorneys, Reger Rizzo & Darnall LLP, pursuant to 52 Pa. Code § 5.103 hereby submits its Answer to the Motion to Amend Complaint to Join Indispensable Party and Request for Continuance (Motion)¹ filed on September 22, 2014 by Ashley Harple (Complainant). The Respondent avers that the Motion is not timely; the indispensable parties have been known to the Complainant and her counsel since April 2014. The Complaint was filed on July 22, 2014; the Prehearing Order was issued August 27, 2014; the present Motion was filed almost two months after the Complaint. The Company asserts that the timing of this Motion reflects the Complainant’s continued attempts to prevent a timely hearing and decision before the beginning of the 2014-2015 winter heating season. In response thereto, Respondent avers and represents as follows:

1. Admitted that the Complaint lists Penelec as the only utility about which she was complaining. The Respondent denies that the Amended Complaint “sets forth

¹ The request for continuance of the September 26, 2014 hearing is moot; the hearing was cancelled on September 22, 2014 by the Honorable Mark Hoyer.

more clearly the gravamen for which this Formal Complaint has been filed.” To the contrary, the Amended Complaint alleges: (1) facts that are not relevant to the issues before the Commission for disposition; and (2) vague allegations regarding the monthly bills.²

2. Admitted that North American Power and Gas, LLC (North American) provided electric generation services (EGS) to the Complainant and she disputes that she authorized enrollment with North American and her responsibly for those EGS charges. Denied that the Complainant and her counsel were not aware since April 2014 that many of her allegations in the Complaint dealt solely with the enrollment and charges of North American.

3. Admitted that the Complainant is disputing the EGS charges, which were placed by the Respondent on the monthly bill. The issue of the Company’s purchase of EGS receivables, consistent with Commission regulations,³ is irrelevant to the allegations of the Complainant’s enrollment and rates charges by North American and the delinquent account balance. Strict proof, if relevant, substantiating this allegation is demanded at hearing.

4. Admitted that the Complainant did not list North American as a utility of whose practices and rates she was complaining. By way of further answer, the Respondent avers that both Complainant and her counsel were fully aware of North

² Paragraph 20 of the Amended Complaint alleges, “that bills submitted were inaccurate, incorrect and simply not understandable. Proof will be presented at the time of the hearing.”

³ 52 Pa. Code § 69.1814.

American's practices and rates as early as April 2014 when the Complainant's Informal Complaint, BCS Decision No. 3216805, was filed. A copy of BCS Decision No. 3216805 is provided as Attachment 1.

5. Denied that the Respondent's purchase of EGS receivables consistent with Commission regulations, is relevant to this proceeding. Strict proof, if relevant, substantiating this allegation is demanded at hearing.

6. This paragraph contains a prayer for relief to which no response is required.

7. Denied that the Motion was not filed for the purpose of "delay." Strict proof substantiating this allegation is demanded at hearing. The Respondent avers that the Complainant and her counsel were aware of the Complainant's allegations regarding North American since April 2014. Furthermore, the Complaint was filed on July 22, 2014; the Complainant waited approximately two months after filing the Complaint and five months after the Informal Decision was closed to file her Motion.

8. The Respondent denies that North American is critical to the disposition of the Complaint as it relates to the allegations against the Company, i.e., dismissal from the Respondent's low-income program. Strict proof, if relevant, substantiating this allegation is demanded at hearing. The Company avers that it simply places the EGS charges on its monthly bills. If the Commission determines that those EGS charges were

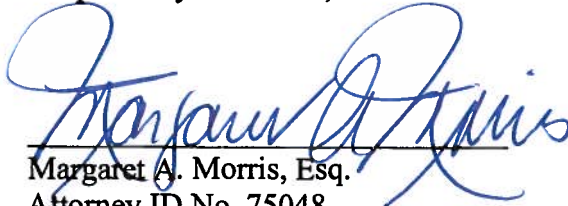
incorrect, the Company will simply place the credit for the amount determined by the Commission on the Complainant's subsequent monthly bill. The issue of whether the Respondent purchased the receivables of North American is irrelevant.

9. Denied that the request for an expedited hearing, which was properly pled in the New Matter, has "prejudiced" the Complainant. By way of further answer, the Respondent avers that her Reply to New Matter did object to the request.⁴

10. This paragraph contains a prayer for relief to which no response is required.

WHEREFORE, Respondent, Pennsylvania Electric Company, respectfully requests that the Motion to Amend Complaint filed by Ashley Harple be denied in its entirety.

Respectfully submitted,



Margaret A. Morris, Esq.
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mmorris@regerlaw.com

Date: October 2, 2014

Counsel for Pennsylvania Electric Company

⁴ The Reply to New Matter simply contained a general denial.

Docket No. C-2014-2434701
Ashley Harple v. Pennsylvania Electric Company

Attachment 1

BCS Report No. 3216805
Closed: June 25, 2014

Opening Data Report Case # 3216805
Company Name: PENELEC (FIRST ENERGY)

Customer Information	
First Name: ASHLEY	Last Name: HARPLE
Account Number: 100101363842	
Service Address	
Address 1: 150 THIRD ST	
Address 2:	
City: FALLS CREEK	State: PA
Postal Code: 15840-	
Home Phone: (412)-3554980	Work Phone: ()-
Service Class: RESIDENTIAL	
Mailing Address	
Address 1: 525 WILLIAM PENN PLACE	
Address 2:	
City: PITTSBURGH	State: PA
Postal Code: 15219-	
Family	
Adults: 2	Family Size:
Children: 1	Age:
General	
Date Opened: 04/03/2014	Received Date: 04/03/2014
Date Closed: 06/25/2014	

Assigned To:
Assigned To: Max S Webb/FirstEnergy

Case Information

Prior Case #:		Term Date:	
Arrearage:	\$0.00		
Case Origin:	E-MAIL	Univ. Service:	M
Income Amount:	\$1667.00	Source:	INCOME
Reason for Contact:	DO NOT SELECT - AUTOMATED CODE - CHALLENGED STRAIGHT PAR (#73)		
Business Name:	JAMES EHRMAN		
Case Problem:			
Company Position:	03/30/2014 10 DAY SHUT OFF NOTICE		
Related Information:	STATES DOESNT UNDERSTAND BILL & WANTS IT CHECKED FOR ACCURACY; WANTS PAR-----REVISED 6/11/2014 ASHLEY HARPLE CALLED TO SAY THAT SHE NOTICED SHE HAS A SUPPLIER FOR PENELEC. IT IS NORTH AMERICAN POWER. CU SAID THAT PENELEC TOLD HER THEY SENT HER A NOTICE THAT SHE WAS WITH NORTH AMERICAN POWER TELLING HER TO CANCEL. CU SAYS SHE WAS SLAMMED BY NORTH AMERICAN POWER. CU SAYS SHE IS MORE THAN WILLING TO PAY PENELEC'S PORTION OF THE BILL BUT DOES NOT NOT BELIEVE SHE SHOULD HAVE TO PAY NORTH AMERICAN POWER PORTION OF THE BILL SINCE SHE NEVER SIGNED UP WITH THEM. PENELEC SENT CU A LETTER OFFERING HER AN EXTENTION UNTIL TOMORROW. PENELEC SAID THEY PURCHASED BALANCE FROM NORTH AMERICAN POWER. CU SAYS SHE DID NOT GIVE AUTHORIZATION TO DO THIS. CO SAID THAT THEY DID NOT NEED HER AUTHORIZATION TO DO THIS. CU HAS CONTACTED AN ATTORNEY AT THIS TIME. BALANCE IS NOW \$4000.		
Case Misc. Info:			
Hot Issue:			

Other Info

BCS Inv. First Name:	JAMES	BCS Inv. Last Name:	WHITE
BCS Invest. Phone:	(717)-7874348	BCS Fax:	()-
BCS. Int First Name:	NICOLE	BCS. Int Last Name:	LIPSCOMB

Status

Status: Closed

Closing Data Report Case # 3216805
Company Name: PENELEC (FIRST ENERGY)

Customer Information			
First Name:	ASHLEY	Last Name:	HARPLE
Account Number:	100101363842		
Service Address			
Address 1:	150 THIRD ST		
Address 2:			
City:	FALLS CREEK	State:	PA
Postal Code:	15840-		
Home Phone:	()-	Work Phone:	()-
Mailing Address			
Address 1:			
Address 2:			
City:		State:	
Postal Code:	-		
Family			
Adults:		Family Size:	
Children:		Age:	
General			
Date Opened:	04/03/2014	Received Date:	06/25/2014
Date Closed:	06/25/2014		
Complete in SAP:	<input checked="" type="checkbox"/> Yes	Date Complete in SAP:	06/26/2014

Assigned To:**Assigned To:** Max S Webb/FirstEnergy**Case Information**

Decision Issue: Y	Oral Written: W
Violation: NO	Chapter:
Section Rule:	
Balance Date: 06/09/2014	Head Date: 06/27/2014
Bill Date:	Serv. Continue Date:
Total Balance: \$9,097.00	Serv. Restore Pay: \$0.00
Sp. Budget Amt.: \$0.00	Rg. Budget Amt.: \$485.00
Serv. Continue Amt.: \$3,196.00	Arrears Pay Plus: \$0.00
Final Montly Pay: \$0.00	Current Montly Pay: \$0.00
End Monthly Pay: \$0.00	Reconnect Amt.: \$0.00
Pay Amt.: \$0.00	
Terms:	
Paragraph:	
Letter Desc: BLANK LETTER - DECISION	
Resolution: CASE DISMISSED PER 1405C. NO GOOD FAITH EFFORT MADE WITH PCAP ARREARS OF 3983.04. TO PREVENT TERMINATION THE UTILITY REQUIRES 3195.97 ON 9097.11 BALANCE.	

Other Info

BCS Inv. First Name: JAMES	BCS Inv. Last Name: WHITE
BCS Invest. Phone: (-)	BCS Fax: (717)-7876641
BCS. Int First Name:	BCS. Int Last Name: