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October 9, 2014

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

RE: Mimose Innocent v. PPL Electric Utilities Corporation
Docket No: F-2013-2360608

Dear Ms. Chiavetta:

Enclosed for filing in the above-captioned matter is PPL Electric Utilities Corporation's Replies to Exceptions of Complainant.

Pursuant to 52 Pa. Code §5.535, the enclosed document is to be deemed filed timely.

Thank you for your cooperation and assistance in this regard.

Very truly yours,

KIMBERLY G. KRUPKA

KGK/cl
Enclosure

cc: Administrative Law Judge Ember S. Jandebour (w/ enc.); *via email only*
Mimose Innocent (w/ enc.)
Kimberly R. Safford (w/ enc.); *via email only*
Mae F. Dorris (w/ enc.); *via email only*

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*Also admitted in NY
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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MIMOSE INNOCENT,
COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,
RESPONDENT.

COMPLAINT DOCKET
NO. F-2013-2360608

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

AND NOW comes the Respondent, PPL Electric Utilities Corporation ("PPL Electric"), by and through its attorneys of record, Gross McGinley, LLP, and files the within Replies to Exceptions, alleging in support thereof as follows:

1. Denied.¹ Complainant fails to set forth her Exceptions in numbered paragraphs, and further fails to identify with particularity either specific Findings of Fact or Conclusions of Law to which she excepts. Nonetheless, it appears that Complainant's first, and only, Exception is that "PPL Electric Utilities... has been overcharging my account for many years." Such Exception is inconsistent with the testimony provided by Ms. Innocent at the time of hearing in this matter.

An initial hearing was commenced before the Honorable Ember S. Jandebour on August 6, 2014. During the hearing, Complainant testified on her own behalf and conceded that she had filed an earlier Formal Complaint, Docket No. F-2010-2184996), and that the actions she was complaining about in her current Complaint were the exact

¹ Complainant fails to set forth her Exceptions in numbered paragraphs. However, PPL Electric interprets Ms. Innocent's letter to raise one (1) issue and will address the same.

same allegations she set forth in her earlier formal Complaint. It was further noted that the earlier Complaint was decided against her following a full hearing on the merits, that she had filed Exceptions to the Initial Decision, and that the Exceptions had been denied, after which she filed a Petition for Reconsideration which was denied. Further, during the August 6, 2014 hearing, Ms. Innocent testified that she had not experienced any change in income since her last hearing, which also raised the issue of inability to pay. Finally, Ms. Innocent confirmed that her only Complaint was an inability to pay. (N.T. at 8).

The issue of Ms. Innocent's ability to pay, and entitlement to a payment arrangement, was decided as part of the Decision issued in Case No. F-2010-2184996. Ms. Innocent has testified that she has not experienced any decrease in income or change in household size since that date. (N.T. at 8). Pennsylvania Law is clear

(d) Number of payment agreements.--Absent a change in income, the commission shall not establish or order a public utility to establish a second or subsequent payment agreement if a customer has defaulted on a previous payment agreement. A public utility may, at its discretion, enter into a second or subsequent payment agreement with a customer.

66 Pa. Cons. Stat. Ann. § 1405. Accordingly, Complainant is not entitled to any further payment arrangements, especially in light of the fact that she previously defaulted on more than twenty (20) payment arrangements provided to her by PPL Electric.

Accordingly, the decision of ALJ Jandebour is supported by law and should be upheld.

Respectfully submitted,

GROSS MCGINLEY, LLP



By: _____

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Attorneys for PPL Electric Utilities Corporation

Date: October 9, 2014

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MIMOSE INNOCENT,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. F-2013-2360608

CERTIFICATE OF SERVICE

This is to certify that **PPL ELECTRIC UTILITIES CORPORATION'S**
REPLIES TO EXCEPTIONS OF COMPLAINANT was mailed to
counsel/complainant of record on behalf of Complainant by first class United States mail,
postage on this the 9th day of October, 2014.

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GROSS MCGINLEY, LLP

Kimberly G. Krupka

By: _____

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