

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Rodney M. Temple v.
West Penn Power Company

Public Meeting – December 18, 2014
2412337-ALJ
Docket No. C-2014-2412337

STATEMENT OF
COMMISSIONER PAMELA A. WITMER

Before the Pennsylvania Public Utility Commission (Commission) today is the Complaint of Rodney M. Temple (Complainant) against West Penn Power Company (West Penn). In his Complaint, the Complainant alleges that West Penn was improperly requiring him to pay a security deposit and that the Company's customer service representative or unit was rude and unresponsive. In her Initial Decision, Administrative Law Judge (ALJ) Mary D. Long found that the Complainant did not prove that West Penn committed any violation when it assessed a security deposit to the account based on Complainant's poor payment history.

While I support of the ALJ's decision in this case, I was disturbed by email correspondence sent from the Complainant to West Penn's counsel after the hearing. The email reads, in part:

I have my own and 3 other Militias committed to the cause, And I have 2 inside people who will tell me when you are coming to unhook me. We have quite a welcoming party ready for ya...This is going to be an nternet [sic] PR DREAM...(West Penn, Motion to Dismiss, Exhibit 5)

In the era in which we live, and especially with the horrific tragedies and acts of terrorism that have occurred, the Complainant's words in this case must be treated with the utmost seriousness. Any reasonable person would read the above correspondence as a threat of physical harm against the employees of West Penn as they work to discharge their duties. The remainder of the Complainant's email is inappropriate to be read in this forum as it is riddled with expletives directed at West Penn. No amount of frustration justifies this type of language.

I would also note that the transcript of a call between the Complainant and one of West Penn's customer service representatives contained in the record included statements by the Complainant that suggest he has previously filed numerous complaints before the PUC and that he would begin filing Formal Complaints against West Penn and fail to appear at the hearings in an effort to cost the Company more money.

First, the Complainant seems to fundamentally misunderstand the way in which utilities operate. The monies spent defending Complaints are recovered from ratepayers. As a result, the only people punished by Complainant's scheme of filing repeated complaints, should it be carried out, are he and his fellow ratepayers.

While this Commission acts on a daily basis to correct infractions of law or our regulations by regulated utilities, I remind Mr. Temple that, in prior cases where a Complainant was found to file repeated frivolous Complaints alleging the same or similar issues before the Commission, we have been legally bound to dismiss those actions and limit the ability of such customers to file additional Complaints in the future. The Commission's informal and formal Complaint processes exist to aid customers in resolving any concerns related to their regulated utility service, and I have little patience for those who abuse those processes.

DATE: December 18, 2014


PAMELA A. WITMER
COMMISSIONER