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January 21, 2015

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

RE: Joseph P. Carnevale v PPL Electric Utilities Corporation
Docket No: C-2014-2426383

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter are the Replies on behalf of PPL Electric Utilities Corporation, to Complainant's Exceptions.

Please note that this filing was eFiled with the Commission on the date indicated above.

Very truly yours,



KIMBERLY G. KRUPKA

KGK/cl
Enclosure

cc: Joseph P. Carnevale (w/ encl.)
Administrative Law Judge Ember S. Jandebour (w/encl.) via email only
Amy M. Bellizia (w/encl.) via email only

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSEPH P. CARNEVALE,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET

NO. C-2014-2426383

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

AND NOW, comes the Respondent, PPL Electric Utilities Corporation ("PPL Electric") by and through its attorney 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 his Exceptions in numbered paragraphs and further fails to identify with particularity any conclusions of law to which he excepts. Nonetheless, it appears that Complainant excepts to Findings of Fact, 4, 8, 11, 14, 15 and 16. PPL Electric will respond accordingly.

With regard to finding of fact 4, PPL denies that such finding of fact was inaccurate. Finding of fact No. 4 states "[t]he Complainant has three (3) window air conditioning units that he uses during the spring and summer. Tr. At 21." Complainant contends that the three (3) air conditioners are energy efficient and used sparingly. However, it is uncontested that Complainant refused to permit PPL Electric to perform an in-home energy analysis. In fact, PPL Exhibit 2 indicates the repeated efforts of PPL Electric to perform an energy analysis.

¹ Complainant fails to set forth his Exceptions in numbered paragraphs. However, it appears that Complainant is excepting to finding of fact 4, 8, 11, 14, 15, and 16, and accordingly, PPL Electric replies to the same.

Specifically, since just 2012, PPL has attempted to meet with the Complainant and offered a High Bill Investigation on October 9, 2012, June 2, 2014, June 3, 2014, June 6, 2014 and July 1, 2014. (See PPL Ex. 2). Although Complainant contends that he does not utilize the three (3) window air conditioning units often, they are within the home and remain available for usage. Accordingly, they must be calculated in determining the potential usage of Complainant.

2. Denied. Complainant excepts to Finding of Fact No. 8. Finding of fact No. 8 states “[f]rom June 17, 2013 to July 17, 2014, the Complainant was supplied electricity through Zoom Energy. Tr. At 28.” Complainant does not appear to contest the fact that he contracted with Zoom Electric for his generation. In addition, Complainant does not appear to contest the fact that Zoom Electric had a higher price to compare the many other generation suppliers. Accordingly, the finding of fact of the Administrative Law Judge was completely accurate.

11. Denied. Complainant appears to except to Finding of Fact No. 11. Finding of Fact No. 11 states “[t]he Complainant refused to have an energy use analysis done. PPL Exhibit 2.” Complainant admits that he refused on repeated occasions to have an energy usage performed. Rather than contest the Finding of Fact of the ALJ, Complainant appears to state that “the only thing this meeting would have done is to allow PPL to again waste my time while ignoring the real issue.” Accordingly, the ALJ appropriately found that Complainant refused to permit PPL Electric to conduct an energy analysis. Accordingly, the ALJ correctly found “we do not know the potential for energy usage because Complainant refused to have an energy usage analysis done despite PPL’s several offers.” Opinion at 6. Had Complainant permitted PPL Electric to perform the energy analysis, additional information may have been made available to Complainant to help explain his electric consumption. Complainant failed to avail himself to the customer services offered by PPL Electric.

14. Denied. Complainant contests Finding of fact No. 14, which states “[t]he Complainant’s meter was removed on June 17, 2014 and the meter tested accurately. PPL Exhibit 5, Tr. At 42-43.” Complainant contends that PPL has never provided any test records or data and refused to permit Complainant to attend the meter test. Such allegations of no documentation are false. Rather, as PPL Exhibit 5 indicates through a report dated June 17, 2014, the meter was removed on June 13, 2014 and tested on June 17, 2014 with an accuracy of 99.7%. According to PPL Hearing Exhibit No. 2, Kevin George of PPL Electric received the test results on June 18, 2014 and contacted Complainant to discuss the meter test results. A message was left for Complainant. On July 1, 2014, Kevin George and the Complainant spoke wherein PPL Electric discussed with Complainant that the meter 2004145 was bench tested with an accuracy of 99.7%. (PPL Exhibit 2). In addition, the records indicate that on June 6, 2014, Kevin George spoke with the Complainant and scheduled an appointment for a service tech to meet with the customer on Friday, June 13, 2014 at 9:00 a.m. to remove the meter. Accordingly, PPL Electric provided notice of when the meter would be removed and in fact it was removed on said date. Thereafter, the meter was tested within PPL’s testing facility. Moreover, there is no Commission rule or regulation which requires PPL Electric to permit Complainants attend testing within the testing facility.

15. Denied. Complainant appears to object to Finding of Fact No. 15 which states “[t]he Complainant was not present for the testing of his meter. Tr. At 52.” Complainant alleges that per the PUC, he would have access to the process and was denied access and testing records and data from PPL. Denied. By way of further response, PPL Exhibit No. 5 is a copy of the report of Meter Accuracy issued by the Metering Support Department of PPL Electric and provided to Complainant. In addition, PPL representative, Kevin George, contacted

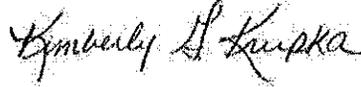
Complainant on June 18, 2014, to specifically discuss the tests of the meter. (See PPL Exhibit 2.) Moreover, PPL actually made an appointment with Complainant for removal of the meter. (See PPL Exhibit 2).

16. Denied. Complainant excepts to Finding of Fact No. 16 which states “ PPL tests meters at a facility. PPL did nothing different with the Complainant’s meter. His meter was removed and tested at a facility. Tr. At 42-43.” Complainant does not actually contest that the meter was tested at a facility or that PPL did anything different with his meter. Rather, Complainant simply states that he was not present for the testing process and that he was denied access to counsel. The testimony in this case clearly shows that Complainant was provided with notice of the date and time that PPL would be removing the meter from his premises. In addition, is PPL’s standard practice to test the meter within a regulated test facility. Moreover, Complainant never requested the opportunity to access the meter in order for him to obtain additional testing.

Finally, there is no due process denial as Complainant was permitted the opportunity to engage counsel. Specifically, this matter was scheduled for an Initial Hearing on August 20, 2014. Complainant was provided notice of this Initial Hearing as early as July 7, 2014. Thereafter, the Hearing date was changed on two (2) times, with a final Hearing date of November 4, 2014. Complainant filed his original Complaint on or about May 28, 2014. Accordingly, Complainant had more than five (5) months to secure counsel should he have so desired. As this is not a criminal case, the Complainant is not entitled to a free attorney. Accordingly, any due process claims are invalid.

For the foregoing reasons, it is respectfully requested that the Commission deny Complainant's Exceptions.

GROSS MCGINLEY, LLP



BY: _____

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DATE: 01/21/15

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CERTIFICATE OF SERVICE

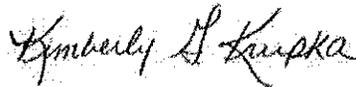
This is to certify that the Reply to Claimant's Exceptions on behalf of PPL ELECTRIC UTILITIES CORPORATION was mailed to counsel/complainant of record on behalf of Respondents by first class United States mail, postage on this the 21st day of January, 2015.

Administrative Law Judge Ember S. Jandebaur

Via Email Only ejandebaur@pa.gov

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