

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROGER MCCALL

v.

PENNSYLVANIA ELECTRIC COMPANY

Complaint Docket
No: **C-2013-2393779**

EXCEPTIONS TO THE JANUARY 22, 2015 INITIAL DECISION

On December 29, 2014 Administrative Law Judge Dennis J Buckely entered his initial ruling for Complaint **C-2013-2393779**. The complaint was transmitted on January 22, 2015.

We believe that Pennsylvania Electric Company (the Utility) acted contrary to public policy and to the spirit of the Tariff Agreement with the Pennsylvania Public Utility Commission.

The Tariff Agreement is an extensive document of some 224 pages. Even with the detail of this agreement it is not so specific as to cover each and every circumstance that the Utility encounters as they conduct their business. The Tariff Agreement formulates plans for consumers and the Utility to act.

The Utility has successfully argued that they met the letter of the agreement (page 46 paragraph 12) but not the spirit of the agreement. Their narrow view is that if they don't received ten days advance notice they have no obligation to read the meter. The spirit of the agreement allows the Utility a reasonable period of ten days to obtain a meter reading. The Utility had a period of 60 days between meter readings. Their narrow view resulted in the issuance of four utility customers receiving bills that were in error.

We argue that evidence that the spirit of the Tariff Agreement is supported by the two other utilities that provide service to this property completed actual meter readings for the utility services they provide in a reasonable time period. While their services are covered by separate tariff agreements with the PUC we contend that this should have been allowed into the record as evidence of reasonable expectations of the Utility in this case. We differ with the ALJ's conclusion on this item.

Prior to the either of the telephonic hearings the parties were directed by the Administrative Law Judge to properly submit all exhibits prior to the hearing. We believe that the additional exhibit that was submitted during the telephonic hearing should not have been admitted. Testimony was entered from the exhibit and because of the telephonic nature of the hearing the opposing party had no opportunity to view the exhibit as testimony was entered and then had no ability to ask the witness questions about the contents of the exhibit. The exhibit was submitted to the complainant

to view a week after the hearing. Frankly, that is just plain crazy!!!

Respectfully submitted,

Dated: March 2, 2015

Roger McCall
PO Box 225
Reynoldsville, PA 15851