

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

E. McCauley
v.
Pennsylvania Electric Company

Public Meeting held July 8, 2015
2417835-ALJ
Docket No. C-2014-2417835

MOTION OF CHAIRMAN GLADYS M. BROWN

Before the Commission is the Complaint of E. McCauley (Complainant) against Pennsylvania Electric Company (Company or Penelec) alleging, *inter alia*, reliability and quality problems with her electric utility service.

At the outset, I note the provisions of §1501 of the Public Utility Code,¹ which states that utilities shall furnish reasonable service and facilities. However, it is well known that this provision does not require perfect service. Consequently, any review of a reliability complaint involves a certain measure of subjectivity in the Commission's disposition. As stated in Colonial Products v Pa. Pub. Util. Comm'n, 146 A.2d 657 (Pa.Super. 1958), the Pennsylvania Superior Court explained:

“By its very nature, the statutory standard is not capable of definition with mathematical precision. The duty is upon the commission . . . to determine the basis of the facts and circumstances indicated by the substantial evidence whether the service provided is reasonable and adequate for the public.”

The Complainant in this case is served by the Company's 783-63 circuit, which runs from the Harrison Valley Substation. The record in this proceeding shows that the Complainant experienced nine momentary interruptions of service from December 20th-21st 2013, a twenty-one minute outage on December 21st and another outage on December 21st lasting four minutes. Tr. at 47-48, 50-51,

This is not the first time that this Complainant has filed a complaint seeking relief from the Commission due to alleged service quality problems from this circuit. The Complainant filed a previous complaint on June 10th 2013, which detailed four outages occurring between May 8th 2013 and July 18th 2013. These outages lasted from two seconds to nine hours and forty-eight minutes. This previous complaint was correctly dismissed based on record evidence including that Penelec was planning to build a new transmission substation to address the reliability problems.²

In this case, the nine momentary interruptions of service experienced by the Complainant were the result of repeated recloser operations. Reclosers are an effective tool to manage and isolate distribution outages. However, the numerous recloser events may be indicative of a problem with a circuit. The record here indicates no adverse weather on this day. The record

¹ 66 Pa. C.S. § 1501.

² Docket No. C-2013-2369789 Finding of Fact No. 6.

also indicates that the service interruptions were the result of intermittent failures of a lightning arrester. Tr. at 44-45, 47, 50-51.

Upon further review of the record, I note that the Complainant was informed by Penelec on the morning of December 21st 2013 that the outage problem was alleviated. Tr. at 46-47. The afternoon of that same day, however, the Complainant experienced a twenty-two minute outage due to a recloser operation that resulted from the failing arrester. Tr. at 47-48. I further note that Penelec determined the cause of the momentary service interruptions on Friday December 20th and scheduled the repair work for Monday December 23rd. But, when the Complainant's circuit continued to have problems on Saturday December 21st, the company performed the repair work that same day. Tr. at 48-50.

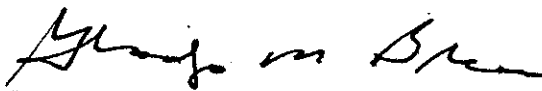
The Company's failure to immediately perform the repair work here and the communication to the Complainant that a service problem was fixed only to have another service problem hours later constitutes a failure to comply with the mandate under §1501 of the Public Utility Code to provide adequate and efficient service. As such, the placement of a \$500 civil penalty on the Company is warranted, based on an examination of all the factors in the Commission's Policy Statement at 52 Pa. Code § 69.1201. This Policy Statement sets forth ten factors that the Commission may consider in evaluating whether a civil penalty for violating a Commission order, regulation or statute is appropriate.

Also, due to the overall outage history of the Complainant's circuit, I refer this proceeding to the Commission's Bureau of Technical Utility Services Reliability Division for further analysis and to take whatever action is deemed necessary. Next, I implore Penelec to evaluate the distribution facilities relevant to this proceeding and encourage the Company to work to alleviate any reliability and quality of service problems that may still exist.

Finally, I will note the improper demeanor of the Complainant in this case. I understand that a customer may become frustrated, particularly when experiencing multiple outages. However, there is never justification for the use of profanity when dealing with a utility or when acting in front of an administrative body.

THEREFORE, I MOVE THAT the Office of Special Assistants draft an appropriate Order consistent with this Motion.

July 8, 2015
Date



Gladys M. Brown, Chairman