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August 6, 2015

VIA UNITED PARCEL SERVICE

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Brookwine Associates, LLC v. Metropolitan Edison Company
Docket No. C-2015-2460955

Dear Secretary Chiavetta:

Enclosed please find a Joint Stipulation of facts reached between the parties with regard to the above-captioned matter. This document has been served on the Complainant and Administrative Law Judge as shown in the Certificate of Service. Please date stamp the extra copy of this filing and return it in the postage-prepaid envelope provided.

Please contact me if you have any questions regarding this matter.

Very truly yours,



Tori L. Giesler

krak
Enclosures

c: As Per Certificate of Service

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SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BROOKWINE ASSOCIATES, LLC	:	
	:	
v.	:	Docket No. C-2015-2460955
	:	
METROPOLITAN EDISON COMPANY	:	

JOINT STIPULATION OF FACTS

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, *Metropolitan Edison Company* (“Met-Ed” or the “Company”), by and through *Tori L. Giesler*, and *Brookwine Associates, LLC* (“Brookwine” or “Complainant”) (collectively, the “Parties”), by and through *Kurt A. Blake*, file this Joint Stipulation of Facts (“Stipulation”). Through this Stipulation, the Parties seek to dispose of any factual disputes and establish an agreed-upon set of facts for the record in this matter, upon which a judicial determination may be made by the appointed Administrative Law Judge.

I. Background

1. On January 5, 2015, the Formal Complaint was served upon the Company. The Formal Complaint admits to the presence of foreign load and alleges only that “a single watt light bulb burning continuously for a month would only use approximately \$7.20 of electricity on average. We would be willing to round that figure to an even \$10.00 per month and just to be safe, double it to \$20.00 per month and reimburse Met Ed \$20.00 per month times the fourteen months that Tyanna Duncan was a tenant for a total of \$280.00 to be reimbursed to Met-Ed. We feel this is a more than fair solution as we can not be responsible for a tenant not paying their utility bills.”

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2. On January 26, 2015, Met-Ed filed an Answer and New Matter to the Formal Complaint.

3. By letter dated March 10, 2015, the Complainant untimely filed a Reply to New Matter in which no facts were denied.

4. On March 13, 2015, a Telephone Hearing Notice was issued, scheduling this matter for an initial telephonic hearing on Monday, April 27, 2015.

5. On April 24, 2015, a Hearing Cancellation/Reschedule Notice was issued, cancelling the initial telephonic hearing scheduled for April 27, 2015 and rescheduling this hearing for Tuesday, July 7, 2015.

6. On July 7, 2015, a telephonic hearing was held, during which it was agreed that the hearing would be continued and that the parties would work to either resolve the matter or agree to a set of stipulated facts to be filed on or before August 6, 2015. On July 7, 2015, an Order was issued memorializing this agreement.

II. Stipulation of Facts

7. Met-Ed is an electric distribution company that is certificated as a public utility in Pennsylvania and that provides retail residential electric service to Complainant's rental property located at 36 North Hartley Street, York, Pennsylvania 17401 ("Rental Location").

8. Complainant has represented itself to be the property owner and landlord of the Rental Location.

9. On August 26, 2013, Tyanna Duncan ("Tenant") established electric service at the first floor of the Rental Location where Tenant resided ("Tenant's Apartment") under Account No. 100104996101 ("Tenant Account").

10. On May 28, 2014, the Tenant was the customer of record at the Tenant's Apartment.

11. On May 28, 2014, the Tenant contacted the Company regarding a high bill and possible mixed metering at the Rental Location.

12. On May 28, 2014, the Company generated an order directing a field technician to contact the property owner and go to the Rental Location to investigate the alleged mixed metering condition.

13. On June 3, 2015, a Company representative spoke with Complainant's representative and scheduled an appointment to conduct a mixed metering investigation at the Rental Location for June 5, 2014.

14. On June 5, 2014, a Company field technician went to the Rental Location and determined that there was no mixed metering; however, a shared metering, also known as foreign load, condition existed in that a hall and porch light were identified as being wired to the meter serving the Tenant's Apartment at the Rental Location.

15. On June 13, 2014, the Company coded the Tenant Account for shared metering and transferred the Tenant's Account balance of \$2,880.89 ("Transferred Balance") to a newly created account in the Complainant's name under Account Number 100109054278 ("Shared Metering Account").

16. The Transferred Balance consisted of usage from October 11, 2013 through May 9, 2014, which represented consumption accrued only during the Tenant's residence at the Rental Location.

17. On June 13, 2014, a written utility report was issued to the Complainant advising that a shared metering condition existed and the electric service was being placed in the Complainant's name until such time as the shared metering was corrected and advising that the balance of the Shared Metering Account was \$3,019.55, which was due by July 3, 2014.

18. On August 19, 2014, the Complainant contacted the Company to notify it that the shared metering condition had been repaired and the Company issued a written utility report advising that an appointment needed to be scheduled so that it could verify that the shared metering condition had been corrected.

19. On September 11, 2014, the Company performed a field visit and determined the shared metering condition was corrected.

20. On September 16, 2014, the shared metering coding was removed from the property and a written report was issued advising that the Tenant could call and reinstate service in her name.

21. On November 4, 2014, electric service was properly terminated at the Service Location due to nonpayment of the Shared Metering Account.

22. Also on November 4, 2014, the Tenant contacted the Company to place service in her name.

23. Service was established in the Tenant's name effective November 5, 2014.

24. On November 4, 2014, a representative from York Property Management contacted the Company on behalf of the Complainant seeking an explanation of the balance transfer which was attributed to the Tenant's unpaid arrearage from usage at the Service Location and also confirmed that the shared metering coding had been removed from the Rental Location records.

25. On December 6, 2014, the past due balance of \$3,268.84 of the Shared Metering Account was transferred to an active account of Complainant, account number 100110263959.

26. On or about December 22, 2014, the Complainant filed the Formal Complaint with the Commission.

WHEREFORE, Metropolitan Edison Company and Brookwine Associates, LLC agree that this Joint Stipulation of facts resolves all factual disputes associated with this matter, and agree that these facts be entered into the record for this proceeding.

Respectfully submitted,

Dated: August 6, 2015



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Dated: August 6, 2015

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BROOKWINE ASSOCIATES, LLC

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2015-2460955

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Motion for Summary Judgment of Metropolitan Edison Company to the Formal Complaint of Brookwine Associates, LLC upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 5.61 (relating to service by a participant).

Service by First Class Mail, postage prepaid, as follows:

Dennis J. Buckley
Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Samuel L. Alwine, Partner
Brookwine Associates, LLC
468 Mathias Road
Littlestown, PAA 17340

Kurt A. Blake, Esq.
Blake Law Firm, LLC
29 East Philadelphia Street
York, PA 17401

Dated: August 6, 2015



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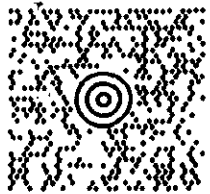
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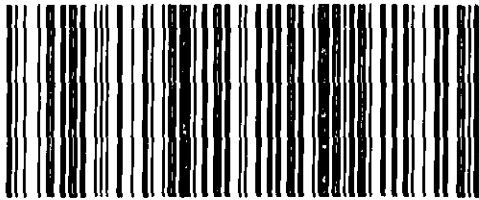
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