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WITNESSES

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EXHIBIT INDEX

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P R O C E E D I N G S

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2 ADMINISTRATIVE LAW JUDGE ROBERT MEEHAN: This
3 is the date set by the Pennsylvania Public Utility
4 Commission for a hearing by telephone on the complaints
5 filed by Jeannie Swartz against West Penn Power Company at
6 Docket No. C-20055344 and Duquesne Light Company at Docket
7 No. C-20055345. I'm Robert Meehan, the Administrative Law
8 Judge assigned by the Commission to preside over the hearing
9 and render an initial decision. I am now going to attempt
10 to contact Ms. Swartz at the number she gave as her home
11 telephone number (724) 212-3677, which is also the number
12 that was contained on the Commission's hearing notice for
13 today as the number I would call to reach her this morning.

14 (Call was attempted by the Judge).

15 JUDGE MEEHAN: Well, I'll now call Mr. Munsch,
16 counsel for West Penn Power, and then call Ms. Sestak,
17 counsel for Duquesne.

18 As I just explained, I tried calling the number for
19 the Complainant (724) 212-3677, the number that she gave as
20 her home telephone number and which was also the number the
21 Commission stated on the hearing notice that I would use to
22 reach her for this morning's hearing and there was a
23 recorded message that the number was disconnected or was no
24 longer in service.

25 In the prehearing order in paragraph 2 I stated that

1 if she was going to be at a different phone number, she had
2 to provide that to me and no one has -- she has not provided
3 me or my office with a different telephone number to use for
4 today's hearing.

5 So, we have no Complainant participating in today's
6 session. So, let me start with Mr. Munsch, what does West
7 Penn want to do?

8 MR. MUNSCH: West Penn had the same trouble
9 reaching the Complainant as you have just had, so being that
10 the Complainant has the burden of proof, I would move to
11 dismiss her complaint for failure to prosecute the
12 complaint.

13 JUDGE MEEHAN: Ms. Sestak for Duquesne?

14 MS. SESTAK: Your Honor, Duquesne Light
15 Company does not have presently an active account with the
16 Claimant and has not had an active account with her since
17 April of 2003. Duquesne Light Company moves to dismiss the
18 complaint for failure of the Complainant to appear and
19 prosecute.

20 JUDGE MEEHAN: All right. Consistent then
21 with the Commission's precedent, the complaint against West
22 Penn Power at Docket No. C-20055344 will be dismissed with
23 prejudice for failure to prosecute.

24 The complaint of Ms. Swartz against Duquesne Light
25 Company at C-20055345 will likewise be dismissed with

1 prejudice for failure to prosecute the complaint.

2 I thank everyone for being available this morning.

3 MS. SESTAK: Thank you.

4 JUDGE MEEHAN: All right. Goodbye.

5 MR. MUNSCH: Bye.

6 MS. SESTAK: Goodbye.

7 (Thereupon, at 10:08 o'clock a.m., the Hearing
8 was adjourned).

9 C E R T I F I C A T E

10 I hereby certify, as the stenographic
11 reporter, that the foregoing proceedings were taken
12 stenographically by me and thereafter reduced to typewriting
13 by me or under my direction; and that this transcript is a
14 true and accurate record to the best of my ability.

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COMMONWEALTH REPORTING COMPANY, INC.

By:



Cathy R. Mull

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SECRETARY'S BUREAU

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