

LARRY R. CRAYNE
Attorney at Law

238 Johnston Road
Pittsburgh, PA 15241

lcrayne@adelphia.net

(412) 425-4029 (m)
(412) 831-5462 (h)

October 7, 2005

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

ORIGINAL

**Re: Constance & Mike Smoker v. UGI Utilities, Inc.
Complaint Docket No. C-20055322**

DOCUMENT
FOLDER

Dear Mr. McNulty:

Enclosed are an original and four copies of UGI Utilities, Inc's Answer to the referenced Formal Complaint. Please file the original and three copies of the Answer and return a date-stamped copy to me in the envelope provided for your convenience. A copy of the document has been served on the complainants.

Sincerely,



Larry R. Crayne

enclosure

cc: Constance & Mike Smoker
27 Thresher Ct.
Lititz, PA 17543

RECEIVED
OCT 7 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

RJP

01

ORIGINAL

Commonwealth of Pennsylvania

Before the Pennsylvania Public Utility Commission

In the Matter of:

Constance & Mike Smoker
Complainants,

Complaint Docket
No. C-20055322

VS.

UGI Utilities, Inc.
Respondent.

**DOCUMENT
FOLDER**

Answer To Formal Complaint

And Now comes Respondent, UGI Utilities, Inc. (UGI), and states and avers as follows:

- 1. Admitted.
- 2. Admitted.
- 3. Admitted.
- 4.A. Denied there are incorrect charges on Complainants' bill.

RECEIVED
OCT 7 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

4.B. Denied that Complainants have been billed incorrectly. To the contrary, UGI avers that Complainants' bills have been verified as correct. The service to 541 E. Orange St., Lancaster, PA, a six-unit apartment building with a commercial service account, was terminated at the curb on April 26, 2004 due to the failure of Complainants to pay for service rendered. The service was terminated at the curb by reason of the failure of Complainants to provide access to the meter. Numerous previous bills to Complainants for service at this location were required to be estimated by reason of Complainants' repeated failure to provide access to the meter. On September 30, 2004, UGI was able to gain access to the meter; the meter was read and removed. Meters are regularly removed from inactive accounts for safety and operational reasons. Complainants' building was vacant and the account had been inactive since April 26, 2004. After removal, the meter was tested and found to be measuring consumption within the Commission guidelines of plus or minus 2 percent. Thereafter, on November 31, 2004, Complainants paid the bills for service, and service to the account was restored on December 3, 2004.

DOCKETED
OCT 13 2005

5. Paragraph 5 is a prayer for relief; therefore, no answer is required. Nevertheless, by way of further and more complete answer, UGI avers that Complainants' bill after removal and testing of the meter included accumulated unbilled consumption by reason of the need for UGI to provide estimated bills when Complainants failed to provide regular access to the meter. Estimated bills often appear higher or lower than normal for a variety of reasons, including consumption patterns and fluctuations in the weather. Further, any delay in responding to Complainants' inquiries regarding the final bill resulted from the failure of Complainants to provide access to the meter for a period of five months after the termination of service to the account. Denied there is any conspiracy or intent to defraud Complainants. To the contrary, UGI avers that the testing of the removed meter was conducted in accordance with procedures required by the Commission, which procedures are designed to provide an accurate verification of Complainants' measured consumption.

6. No answer required.

7. Admitted.

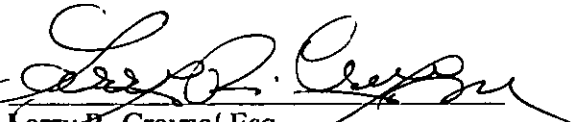
New Matter

Request For Telephonic Hearing

UGI hereby requests that any hearings to be scheduled in this proceeding be conducted telephonically.


Respectfully submitted,

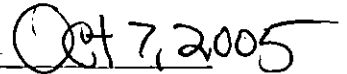
UGI Utilities, Inc.

By: 
Larry R. Crayne, Esq.

VERIFICATION

I, Peter G. Terranova, Vice President – Operations, UGI Utilities, Inc., hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).


Peter G. Terranova


Date

MOB

Certificate of Service

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the participants, listed below, in accordance with the requirements of Sec. 1.54 (relating to service by a participant).

Constance & Mike Smoker
27 Thresher Ct.
Lititz, PA 17543

Dated this 7th day of Oct, 2005



Larry R. Crayne
238 Johnston Road
Pittsburgh, PA 15241

Counsel for
UGI Utilities, Inc.

RECEIVED

OCT 7 2005

PA PUBLIC UTILITY COMMISSION
GENERAL COUNSEL'S OFFICE