

**EQUITABLE  
GAS**

*Delivering Everyday Excellence™*

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DANIEL L. FRUTCHEY  
Senior V.P. and General Counsel

ORIGINAL

December 9, 2005

James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

DOCUMENT  
FOLDER

Re: Doward Johnson v. Equitable Gas Co.  
Docket No. C-20055552

Dear Mr. McNulty:

Enclosed please find one (1) original and three (3) copies of Equitable Gas Company's Answer to the above-captioned Complaint. Kindly time-stamp and return the enclosed coversheet to the undersigned for proof of filing. Thank you.

Yours very truly,  
EQUITABLE GAS COMPANY



Daniel L. Frutchey  
Senior Vice President and General Counsel  
Pa. State Bar ID # 69074

enc/

cc: Doward Johnson  
417 Freeport Road, Floor 1  
Creighton PA 15030

2005 DEC 19 PM 1:17  
PA P.U.C.  
SECRETARY'S BUREAU

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOWARD JOHNSON, )  
)  
)  
Complainant, )  
)  
vs. )  
)  
EQUITABLE GAS COMPANY, )  
)  
)  
Respondent. )

Complaint Docket  
No. C-20055552

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2005 DEC 19 PM 1:17  
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SECRETARY'S BUREAU

ANSWER

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, comes the Respondent, Equitable Gas Company ("Equitable"), by and through its attorney, Daniel L. Frutchey, Esquire, and sets forth the following Answer to the formal Complaint filed by *Complainant in the above-captioned case*:

1. The averments of Paragraphs 1 through 3 of the Complaint are admitted.
2. The averments of Paragraphs 4 and 5 are denied and strict proof is demanded in any hearing to be held on this matter.

By way of further response, the Complainant is the ratepayer of record at 417 Freeport Road, Floor 1, Creighton PA 15030 since October 1, 2003. The Complainant filed an informal complaint on March 2, 2005 regarding estimated bills. The BCS issued a decision on September 19, 2005 which ordered the customer to pay the balance by the due date. The Complainant only owed the amount of the current bill at that time. The account balance is currently being calculated because a corrected bill is being processed. The regular monthly budget amount is \$301.75.

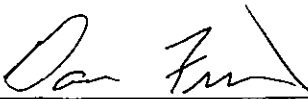
The Complainant was initially told he had foreign load on this account. Subsequently, some confusion arose about whether there was any foreign load. As a result of the formal complaint, the distribution supervisor clarified by telephone with the serviceman that did the investigation that there is, in

fact, foreign load at the property. The serviceman indicated there is one water heater for two apartments and an open heating duct heating the common basement. We have requested a final bill for Mr. Johnson through October 6, 2005 (the date of discovery of the foreign load) and have placed the property owner in billing effective October 6, 2005. Letters are being prepared for both the Complainant and the owner explaining the foreign load situation. These letters will be completed and mailed once the final account balance is calculated. The entire final account balance will be transferred to the landlord. If the landlord corrects the situation so that the Complainant's meter is only supplying gas to the Complainant's residence, the landlord can contact Equitable and we will send someone to verify the situation has been corrected. At that time, we will place the tenant back in billing as of the verification date.

We attempted to contact the Complainant by phone and left messages on his answering machine on December 5, 2005 and December 6, 2005. A letter was also sent on December 6, 2005 asking the Complainant to contact Equitable to discuss the formal complaint. There are indications in the complaint that the Complainant is ill. We tried contacting the Complainant at his work number and we were advised that the Complainant will be off work until at least March, 2006. This complaint might be satisfied once the Complainant realizes he will not be held responsible for the account balance. We need to confirm this with the Complainant. The Complainant may also pursue a refund from his landlord for previous amounts paid, but Equitable is not responsible for making any refunds.

WHEREFORE, the Respondent, Equitable Gas Company, respectfully requests that the subject Complaint be placed in line for mediation.

Respectfully submitted,  
EQUITABLE GAS COMPANY,  
a division of Equitable Resources, Inc.

BY:   
DANIEL L. FRUTCHEY, ESQUIRE  
225 North Shore Drive  
Pittsburgh, PA 15212  
(412) 395-3202

Date: December 9, 2005

VERIFICATION

I, JEFF MITCHELL, hereby state that I am authorized to make this verification on behalf of Equitable Gas Company, a division of Equitable Resources, Inc., being the holder of the office of Director – Credit and Collections, and that the facts above set forth are true and correct (or 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 falsifications to authorities).

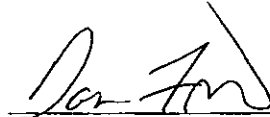
Date: December 9, 2005

  
JEFF MITCHELL

CERTIFICATE OF SERVICE

I, Daniel L. Frutchey, Esquire, hereby certify that on December 9, 2005, a correct copy of the foregoing Answer was served on the Complainant at the address listed below, by first class U.S. Mail, postage prepaid, in accordance with the requirements of Section 1.54 (relating to service by a participant):

Doward S Johnson  
417 Freeport Road  
Floor 1  
Creighton PA 15030



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Daniel L. Frutchey, Esquire  
225 North Shore Drive  
Pittsburgh, PA 15212  
(412) 395-3202

Counsel for Equitable Gas Company,  
a division of Equitable Resources, Inc.