



Duquesne Light
Our Energy...Your Power

ORIGINAL

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Regina M. Sestak
Assistant General Counsel

December 8, 2005

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DEC 8 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Certificate of Mailing

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

RE: Robert Biros v. Duquesne Light Company
Docket No. C-20055565

Dear Secretary McNulty:

An original and three copies of Duquesne Light Company's Answer are enclosed. Copies of these documents have been served upon Complainant in accordance with Commission regulations.

**DOCUMENT
FOLDER**

Sincerely,

Regina M. Sestak
Assistant General Counsel
Duquesne Light Company

encs

c: Robert Biros (w/enclosure)

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ORIGINAL

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROBERT BIROS,)
)
 Complainant,)
)
 v.)
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent.)

Docket No. C-20055565

DOCKETED
DEC 15 2005

ANSWER

DOCUMENT
FOLDER

TO THE HONORABLE COMMISSION:

AND NOW comes the Respondent, Duquesne Light Company, by and through its attorney, Regina M. Sestak, and files the within Answer of which the following is a statement:

1. Admitted. By way of further response, Account Number 0000459150004 is a commercial account through which service was provided to one of the units at 3001 Jacks Run Road between February 2nd and August 23, 2000.

2. Admitted.

3. Admitted.

4. A. As it is unclear what Complainant intends to mean by his averment, "other," after reasonable investigation, Respondent is without

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sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied.

B. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that the premises at 3001 Jacks Run Road, White Oak, PA 15131 is an office complex, and this averment is therefore denied.

Complainant's averment, "Western Southern Insurance Co. rented this space," is admitted to the extent that Respondent's records indicate that "Western and Southern" established service in its name at the premises, under Account No. 5000637462001, effective June 14, 1989. Said service was cancelled effective January 31, 2000.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that Western Southern Insurance Co. moved, and this averment is therefore denied.

Complainant's averment that Western Southern Insurance Co. had the electric service shut off is admitted. By way of further response, on January 20, 2000 a caller who identified herself as Ms. Weider called Respondent and requested that the Western and Southern account be cancelled effective January 31, 2000. On January 31, 2000, Respondent obtained a final meter reading and cancelled electric service to the premises as requested.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to Complainant's averment that "J-K. Plus moved in then," and this averment is therefore denied. By way of

further response, Ken Weightman, doing business as G&K Plus, established service effective September 1, 2000, under Account No. 5001168111001, which remained in service until it was cancelled effective July 31, 2001.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment "[t]hey have to show their lease in order to turn on utilities," and this averment is therefore denied. By way of further response, Respondent does not routinely require that a commercial account applicant show its lease. However, proof of identity is required, which may include documentation to establish the legal identity of a corporation, partnership or sole proprietorship.

5. Complainant's averment, "[g]o after the person who's name was after Western-Southern," is a statement of opinion and/or request for relief to which no response is required. By way of further response, on February 2, 2000, Respondent received a call from an individual who identified himself as Complainant requesting that service be established in his name at the premises. Respondent complied and established service effective February 2, 2000. On May 8, 2000, Respondent received a call from an individual identifying herself as Susan Huffer, Complainant's secretary. She requested that service to the account in question be cancelled effective May 9, 2000. On May 10, 2000, Respondent's representative visited the premises to obtain a final meter reading and cancel service. Complainant was at the premises at the time, spoke to the representative, and requested that service remain on in his name until a new customer would call to establish service. Respondent received no other contact regarding the account until it received a call on August 15, 2000 from an

individual identifying herself as Mrs. Biros, who requested that service to the account be cancelled effective August 23, 2000. A final reading was obtained and a final bill was issued. The final balance of \$692.87 remains unpaid.

Complainant's averment that no one gave Respondent permission to put the electric service into his name is denied. On the contrary, as noted above, Respondent's records indicate that Complainant called Respondent on February 2, 2000 and requested electric service in his name.

6. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that the court has not granted a "Protection from Abuse" order for his personal safety, and this averment is therefore denied.

7. Admitted.

8. No response is required to Complainant's verification and signature.

9. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment, "I have not contacted my attorney," and this averment is therefore denied.

No response is required to the name and address of Robert Goldman.

WHEREFORE, Respondent requests that after reasonable investigation and hearing the Complaint be dismissed.

Respectfully submitted:

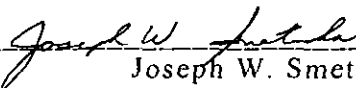
DUQUESNE LIGHT COMPANY
By Counsel:



Regina M. Sestak
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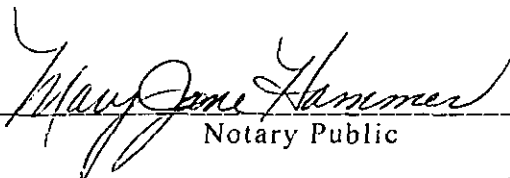
AFFIDAVIT

I, Joseph W. Smetanka, being duly sworn according to law depose and say that I am authorized to make this affidavit on behalf of Duquesne Light Company being the holder of the office of Vice President - Customer Services with that corporation, and that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief and Duquesne Light Company expects to be able to prove the same at any hearing hereof.



Joseph W. Smetanka

Sworn and subscribed before me this 6th day of December, 2005.



Notary Public

My Commission Expires Oct. 6, 2007

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Mary Jane Hammer, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Oct. 6, 2007
Member, Pennsylvania Association of Notaries

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

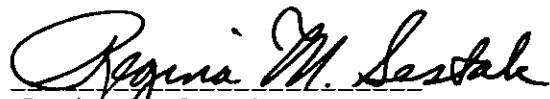
ROBERT BIROS,)
)
 Complainant,)
)
 v.) Docket No. C-20055565
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent.)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant).

Robert Biros
3285 Jacks Run Road
White Oak, PA 15131

Dated this 8th day of December, 2005.



Regina M. Sestak
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