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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

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<u>Robert Biros v. Duquesne Light</u>	:	Docket No.
<u>Company, Service dispute.</u>	:	C-20055565
	:	
Initial hearing	:	
----- x	:	

Pages 1 through 6	Hearing Room No. 1
	300 Liberty Avenue
	Pittsburgh, Pennsylvania

Wednesday, February 8, 2006

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

ROBERT P. MEEHAN, Administrative Law Judge

J.M.

APPEARANCES:

REGINA SESTAK, Esquire
 Duquesne Light Company
 411 Seventh Avenue
 Pittsburgh, Pennsylvania 15219
 (For the Respondent)

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WITNESS INDEX

WITNESSES

DIRECT

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(None.)

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EXHIBIT INDEX

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>FOR EVIDENCE</u>
(None.)		

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P R O C E E D I N G S

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2 ADMINISTRATIVE LAW JUDGE ROBERT P. MEEHAN: Let's open
3 the record. This is the date set by the Public Utility
4 Commission for the hearing on the complaint filed by Robert
5 Biros, B-i-r-o-s, against Duquesne Light Company at Docket
6 No. C-20055565. I am Robert Meehan, the administrative law
7 judge assigned by the Commission to preside over the matter
8 and render an initial decision.

9 At the present time counsel for Duquesne and a number
10 of Duquesne representatives are here in the hearing room.
11 Mr. Biros is not present. I'm going to attempt to contact
12 him at the only number he provided on the complaint form,
13 which is on the line for home phone number, and that number
14 is (412) 673-4713.

15 (Making phone call; answering machine.)

16 JUDGE MEEHAN: Good morning. This is Judge Meehan
17 with the Public Utility Commission calling for Robert Biros.
18 This is the time you were supposed to be in the State Office
19 Building in Pittsburgh for a hearing on the complaint you
20 filed against Duquesne Light Company. Please return this
21 call -- this is Wednesday, February 8th -- by 10:15 a.m.
22 this morning to (412) 565-3550. If you have not returned my
23 call by 10:15 a.m. today the hearing will proceed without
24 you. Goodbye.

25 (End of call.)

1 JUDGE MEEHAN: Well, we'll go off the record, and if
2 he hasn't returned the call or hasn't come in then we'll
3 proceed with the hearing.

4 MS. SESTAK: Thank you, Your Honor.

5 (A recess was taken.)

6 JUDGE MEEHAN: Back on the record. It's now
7 approximately 10:17. I have not received a return telephone
8 call from Mr. Biros. He is not present in the hearing room.
9 So let me ask, Ms. Sestak, how does Duquesne want to
10 proceed?

11 MS. SESTAK: Your Honor, Duquesne Light Company is
12 here present and available with witnesses to testify.
13 Specifically, I have Harry Rattay, who is prepared to
14 introduce Duquesne Light Company records concerning the
15 account in question; I have Nolan, N-o-l-a-n, Ponton,
16 P-o-n-t-o-n, who is prepared to testify to his visit to the
17 premises as a senior meter technician; and also I have
18 Thomas Qualters, Q-u-a-l-t-e-r-s, who is prepared to testify
19 to the statement of account he manually prepared because the
20 age of this account made it impossible to glean the
21 necessary information from Duquesne Light Company's
22 computerized records.

23 However, since Mr. Biros has chosen not to appear, I
24 move that the complaint be dismissed due to his failure to
25 appear and prosecute.

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JUDGE MEEHAN: Consistent with Commission precedent, given the failure of Mr. Biros to be here prosecuting his complaint, the complaint will be dismissed with prejudice and an initial decision will be issued confirming that ruling.

MS. SESTAK: Thank you, Your Honor.

JUDGE MEEHAN: All right.

(Whereupon, at 10:18 a.m., the hearing adjourned.)

* * *

C E R T I F I C A T E

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

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