



National Fuel

ORIGINAL

Lee E. Hartz
Attorney

December 6, 2005

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

**DOCUMENT
FOLDER**

RE: Jimmie Shelley v.
National Fuel Gas
Distribution Corporation
Docket No. C-20055577

Dear Secretary McNulty:

Enclosed please find an original and three copies of National Fuel Gas
Distribution Corporation's Answer regarding the above-referenced Complaint.

Very truly yours,



Lee E. Hartz
(814) 871-8060

LEH/cjc

Enclosures

RECEIVED
DEC 6 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

207

ORIGINAL

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RECEIVED

**DEC 6 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

JIMMIE SHELLEY,

Complainant,

v.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION,

Respondent.

ANSWER

DOCKET NO. C-20055577

**DOCUMENT
FOLDER**

DOCKETED
DEC 14 2005

ANSWER

For its Answer to the Formal Complaint ("Complaint") filed against it by Jimmie Shelley ("Complainant"), National Fuel Gas Distribution Corporation ("Respondent") respectfully states as follows:

- 1) Paragraph one is admitted.
- 2) Paragraph two is denied. Correct name of Respondent is National Fuel Gas Distribution Corporation.

- 3) Paragraph three is admitted.
- 4) As to the allegations contained in paragraph four of the Complaint, Respondent states the following:

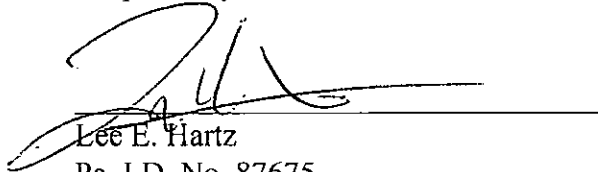
- a) Respondent admits that Complainant's income, as reported to Respondent, is considered "low income." See Exhibit A.
- b) Respondent denies that Complainant's "paid [their] bill when [they] moved here" as Respondent's records indicate otherwise. See Exhibit B.

- c) Respondent lacks sufficient knowledge or information regarding Complainant's financial and employment status to properly respond to the allegations of the Complaint in that regard. Therefore, said allegations are denied with strict proof thereof demanded at time of hearing.
 - d) Respondent does not know to what Complainant is referring to in the allegation that "There LIARA [f]roze my account for quite a while." Therefore, said allegation is denied with strict proof thereof demanded at time of hearing.
 - e) Respondent lacks sufficient information to form a belief regarding the allegations concerning what appliances in Complainant's home use natural gas. Therefore, said allegation is denied with strict proof thereof demanded at time of hearing.
 - f) Respondent lacks sufficient information to form a belief regarding the number of persons that reside in Complainant's home. Therefore, said allegations are denied with strict proof thereof demanded at time of hearing.
 - g) Respondent admits that Complainant has received several decisions from the Pennsylvania Public Utility Commission Bureau of Consumer Services. See Exhibit C. Respondent also admit that Complaint has broken these, and other arrangements as there have been limited payments on the account. See Exhibit B.
- 5) The allegations contained in paragraph five of the Complaint constitute a demand for relief and do not call for a response.
- 6) The information contained in Paragraph 6 regarding Protection from Abuse orders pertains to parties other than Respondent and therefore, no response from Respondent is required.

7) The information contained in Paragraph 7 regarding whether or not Complainant attempted to speak with a utility company representative about their complaint involves actions by a party other than Respondent and, therefore, no response from Respondent is required.

WHEREFORE, National Fuel Gas Distribution Corporation requests that the Complaint be dismissed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lee E. Hartz", is written over a horizontal line. The signature is stylized and cursive.

Lee E. Hartz

Pa. I.D. No. 87675

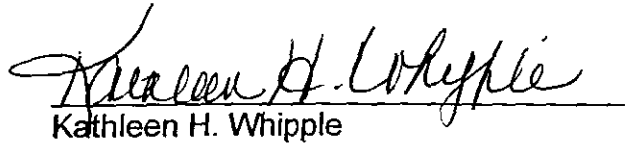
Attorney for National Fuel Gas
Distribution Corporation

P.O. Box 2081

Erie, PA 16512

COMMONWEALTH OF PENNSYLVANIA)
) SS.
COUNTY OF ERIE)

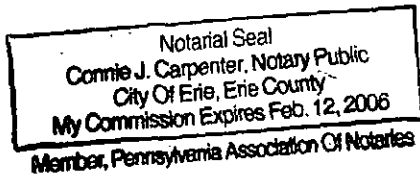
Kathleen H. Whipple, being duly sworn according to law, deposes and says that she is a Supervisor for National Fuel Gas Distribution Corporation; that she is authorized to and does make this Affidavit on its behalf; that the facts set forth in the within Answer are true and correct to the best of her knowledge, information and belief; and that she expects National Fuel Gas Distribution Corporation to be able to prove the same at a hearing thereof.


Kathleen H. Whipple

Sworn to and subscribed before me this

6th day of December 2005.


Notary Public



CIKN0604-1 PA MONTHLY ANALYSIS OF ABILITY TO PAY - ARNI DATE: 12/05/05
 RBA NUM: 632708 - 11 PHONE: 724 342-5871 CUST TYPE: RESIDENT
 NAME: SHELLEY, JIMMIE L ANALYSES ON FILE: 6
 SOCIAL SEC NUM: 436-29-0190 SPOUSE'S SOCIAL SEC NUM: 248-27-2514
 ADULTS: 2 CHILDREN: 1 FOOD STAMPS: Y AMT: 334 HUD:
 KNOWN ILLNESSES: ADULTS: NONR LOW INC: Y 11/08/05
 CHILDREN: 6 YRS OLD INC LVL: 1 11/08/05

----- INCOME -----
 | SOURCE: JOHN 23RD AMT: 1127 SOURCE: SSI** AMT: 463 TOTAL |
SOURCE: AMT: SOURCE: AMT: 1924

----- EXPENSE -----
 | RENT X MORTGAGE 474 ELECTRIC 79 PHONE 25 WATER/SEWER 34 |
 | GARBAGE 18 CABLE TV FOOD 350 INSURANCE |
 | LOANS: TOTAL |
OTHER: MEDICAL 175 1155

ANALYSIS PROVIDED BY: MAXINE DATE: 101905 TAKEN BY: 50676
 REMARKS: **VA DISA GOES DIRECTLY TO MORTG CO AUDIT DATE: 200405 CODE: C
 AVAIL FOR NFG: 769 BUDGET PLAN MTH PAYMT: 159 AVAIL FOR ARRA: 610

PFK 1- HELP 4- REVERIFY 7- BACKWARD 8- FORWARD 11- RETURN | _____

RECEIVED
 DEC 6 2005
 PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

·CIKN0604-1 PA MONTHLY ANALYSIS OF ABILITY TO PAY - ARNI DATE: 12/05/05
RBA NUM: 5632708 - 11 PHONE: 724 342-5871 CUST TYPE: RESIDENT
NAME: SHELLEY, JIMMIE L ANALYSES ON FILE: 6
SOCIAL SEC NUM: 436-29-0190 SPOUSE'S SOCIAL SEC NUM: 248-27-2514
ADULTS: 2 CHILDREN: 1 FOOD STAMPS: Y AMT: 334 HUD:
KNOWN ILLNESSES: ADULTS: LOW INC: Y 11/08/05
CHILDREN: 6 YRS OLD INC LVL: 1 11/08/05

INCOME			
SOURCE: JOHN 23RD	AMT: 1127	SOURCE: SSI**	AMT: 463
SOURCE:	AMT:	SOURCE:	AMT:
			TOTAL
			1924

EXPENSE			
RENT X MORTGAGE	474	ELECTRIC	79
GARBAGE	18	CABLE TV	
LOANS:		PHONE	25
OTHER: MEDICAL	175	FOOD	350
			WATER/SEWER
			34
			INSURANCE
			TOTAL
			1155

ANALYSIS PROVIDED BY: MAXINE DATE: 070505 TAKEN BY: 50519
REMARKS: **VA DISA GOES DIRECTLY TO MORTG CO AUDIT DATE: 200405 CODE: C
AVAIL FOR NFG: 769 BUDGET PLAN MTH PAYMT: 159 AVAIL FOR ARRA: 610

PFK 1- HELP 4- REVERIFY 7- BACKWARD 8- FORWARD 11- RETURN | _____

CIKN0604-1 PA MONTHLY ANALYSIS OF ABILITY TO PAY - ARNI DATE: 12/05/05
 RBA NUM: 5632708 - 11 PHONE: 724 342-5871 CUST TYPE: RESIDENT
 NAME: SHELLEY, JIMMIE L ANALYSES ON FILE: 6
 SOCIAL SEC NUM: 436-29-0190 SPOUSE'S SOCIAL SEC NUM: 248-27-2514
 ADULTS: 2 CHILDREN: 1 FOOD STAMPS: AMT: HUD:
 KNOWN ILLNESSES: ADULTS: LOW INC: Y 11/08/05
 CHILDREN: 6 YRS OLD INC LVL: 1 11/08/05

INCOME				
SOURCE:	AMT:	SOURCE: **-VA DISAB	AMT: 475	TOTAL
SOURCE: JOHN 23RD	AMT: 1118	SOURCE:	AMT:	1593

EXPENSE				
RENT X MORTGAGE	474	ELECTRIC	100	PHONE 30
GARBAGE	18	CABLE TV		FOOD 300
LOANS:				WATER/SEWER 50
OTHER: SUPPORT	600			INSURANCE
				TOTAL
				1572

ANALYSIS PROVIDED BY: MAXINE DATE: 051205 TAKEN BY: 50715
 REMARKS: **VA DISA GOES DIRECTLY TO MORTG CO AUDIT DATE: 200405 CODE: C
 AVAIL FOR NEF: 21 BUDGET PLAN MTH PAYMT: 155 AVAIL FOR ARRA: -134

PFK 1- HELP 4- REVERIFY 7- BACKWARD 8- FORWARD 11- RETURN | _____

CIKN0604-1 PA MONTHLY ANALYSIS OF ABILITY TO PAY - ARNI DATE: 12/05/05
 RBA NUM: 5632708 - 11 PHONE: 724 342-5871 CUST TYPE: RESIDENT
 NAME: SHELLEY, JIMMIE L ANALYSES ON FILE: 6
 SOCIAL SEC NUM: 436-29-0190 SPOUSE'S SOCIAL SEC NUM: 248-27-2514
 ADULTS: 2 CHILDREN: 1 FOOD STAMPS: AMT: HUD:
 KNOWN ILLNESSES: ADULTS: LOW INC: Y 11/08/05
 CHILDREN: 6 YRS OLD INC LVL: 1 11/08/05

INCOME				
SOURCE:	AMT:	SOURCE:	AMT:	TOTAL
SOURCE: JOHN 23RD	AMT: 1201	SOURCE: MR-VA DISAB	AMT: 475	2484
		SOURCE: APPLEBEE'S	AMT: 808	

EXPENSE							
RENT X MORTGAGE	474	ELECTRIC	100	PHONE	30	WATER/SEWER	50
GARBAGE	18	CABLE TV		FOOD	300	INSURANCE	
LOANS:							TOTAL
OTHER: SUPPORT	600						1572

ANALYSIS PROVIDED BY: JIMMIE DATE: 032905 TAKEN BY: 50762
 REMARKS: AUDIT DATE: 200405 CODE: C
 AVAIL FOR NEF: 912 BUDGET PLAN MTH PAYMT: 129 AVAIL FOR ARRA: 783

PFK 1- HELP 4- REVERIFY 7- BACKWARD 8- FORWARD 11- RETURN | _____

LEAST RECENT ANALYSIS

CIKN0604-1 PA MONTHLY ANALYSIS OF ABILITY TO PAY - ARNI DATE: 12/05/05
RBA NUM: 5632708 - 11 PHONE: 724 342-5871 CUST TYPE: RESIDENT
NAME: SHELLEY, JIMMIE L ANALYSES ON FILE: 6
SOCIAL SEC NUM: 436-29-0190 SPOUSE'S SOCIAL SEC NUM: 248-27-2514
ADULTS: 2 CHILDREN: 1 FOOD STAMPS: AMT: HUD:
KNOWN ILLNESSES: ADULTS: LOW INC: Y 11/08/05
CHILDREN: 6 YRS OLD INC LVL: 1 11/08/05

INCOME				
SOURCE:	AMT:	SOURCE:	AMT:	TOTAL
SOURCE: JOHN 23RD	AMT: 1200	SOURCE: MR-VA DISAB	AMT: 475	2175
		SOURCE: APPLEBEE'S	AMT: 500	

EXPENSE				
RENT X MORTGAGE	474	ELECTRIC	100	PHONE 30
GARBAGE	18	CABLE TV		WATER/SEWER 90
LOANS:				FOOD 300
OTHER:				INSURANCE
				TOTAL 1012

ANALYSIS PROVIDED BY: JIMMIE DATE: 092004 TAKEN BY: 50537
REMARKS: AUDIT DATE: 200405 CODE: C
AVAIL FOR NFG: 1163 BUDGET PLAN MTH PAYMT: 168 AVAIL FOR ARRA: 995

PFK 1- HELP 4- REVERIFY 7- BACKWARD 8- FORWARD 11- RETURN | _____

ACCOUNT STATEMENT

CUSTOMER: Jimmie Shelley
 ACCOUNT #: 5632708-11

INVESTIGATOR: Formal Complaint
 CASE NUMBER: C-2005577

SVC TO	DAYS	MTR RDG	*TYPE	CONS	DD	BILL AMT.	DUE DATE	LPC	PYMTS	DATE	BALANCE	COMMENTS
09/11/03	30	2194	A	24	15	\$ 36.00	10/06/03				\$ 617.57	Term notice for 9/26 On Budget at \$180
10/10/03	29	2263	A	69	207	\$ 81.82	11/04/03				\$ 797.57	
11/10/03	31	2398	A	135	463	\$ 145.70	12/03/03				\$ 977.57	
12/13/03	33	2638	A	240	796	\$ 216.20	01/05/04		\$ 332.54	12/01/03	\$ 784.03	LIRA Budget \$139 Budget Adjustment
01/14/04	32	2935	A	297	1085	\$ 262.99	02/08/04	\$ 0.41	\$ 100.00	01/13/04	\$ 823.44	Term notice for 1/29
02/12/04	29	3263	A	328	1292	\$ 297.31	03/08/04	\$ 1.92	\$ 38.03	02/12/04	\$ 926.33	Term notice for 2/27 Term notice for 3/29
03/12/04	29	3493	A	230	943	\$ 216.31	04/06/04	\$ 4.01			\$ 1,077.34	Budget \$147 Budget \$168
									\$ 60.00	03/24/04		LIHEAP
									(60.00)	03/24/04		LIHEAP rolled into BB
04/14/04	33	3713	A	220	883	\$ 207.79	05/06/04		\$ 281.00	04/07/04	\$ 964.34	Crisis
05/12/04	28	3795	A	82	278	\$ 86.28	06/06/04				\$ 1,132.34	Term notice for 5/28
06/11/04	30	3823	A	28	94	\$ 37.65	07/06/04				\$ 1,300.34	
07/14/04	33	3846	A	23	42	\$ 33.03	08/05/04				\$ 1,468.34	Term notice for 7/29
08/12/04	29	3858	A	12	13	\$ 22.22	09/05/04				\$ 1,636.34	Term notice for 8/26 Term notice for 9/27
09/10/04	29	3875	A	17	26	\$ 27.29	10/05/04		168.34	08/18/04	\$ 1,636.00	Prince of Peace Pmt
		3918	FADJ	43		\$ 54.25	11/10/04				\$ 1,465.32	Service Terminated
10/13/04	33	3943	FE	68	182	\$ 78.83	11/07/04		224.93		\$ 1,489.90	Budget Cancel

Exhibit B

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU
 DEC 8 2005
 RECEIVED

*TYPE CODES: A - Actual IA - Initial (Actual)
 E - Estimate FA - Final (Actual)
 C - Customer ADJ - Adjustment

CUSTOMER: Jimmie Shelley
 ACCOUNT #: 5632708-11

INVESTIGATOR: Formal Complaint
 CASE NUMBER: C-2005577

SVC TO	DAYS	MTR RDG	*TYPE	CONS	DD	BILL AMT.	DUE DATE	LPC	PYMTS	DATE	BALANCE	COMMENTS
10/19/04		3918	IA						\$ (69.00)	10/21/04	\$ 1,534.32	Service Restored Turn On Charge
11/08/04	20	3977	A	59	272	\$ 74.55	12/02/04				\$ 1,687.32	Budget \$153
12/10/04	32	4110	A	133	721	\$ 162.67	01/04/05	\$ 25.05			\$ 1,865.37	Term notice for 12/27
01/13/05	34	4317	A	207	1112	\$ 244.58	02/07/05	\$ 27.35			\$ 2,045.72	Term notice for 1/2
02/11/05	29	4528	ADJ	211		\$ 248.98						Term notice for 2/28
		4582	E	265	1237	\$ 309.06	03/08/05	\$ 29.64			\$ 2,204.36	Budget \$129
03/14/05	31	4736	ADJ	208		\$ 245.64		\$ -			\$ 2,708.49	Term notice for 4/1
		4840	E	258	1199	\$ 301.27	04/06/05	\$ 31.58	\$ (202.86)		\$ 2,740.07	Budget Cancel
04/13/05	30	4876	ADJ	140		\$ 169.98					\$ 2,867.49	
		5007	E	167	748	\$ 200.02	05/08/05				\$ 2,899.07	Budget \$159
05/12/05	29	4975	ADJ	99		\$ 130.63		\$ -			\$ 3,026.49	
		5118	E	111	472	\$ 144.52	06/06/05	\$ 0.42			\$ 3,058.49	
06/13/05	32	5038	ADJ	63		\$ 90.21		\$ -			\$ 3,185.49	
		5177	E	59	205	\$ 85.51	07/06/05	\$ 2.81			\$ 3,220.30	Term notice for 7/1
07/05/05	22	5063	FADJ	25		\$ 40.55	12/26/05		\$ 201.89	12/05/05	\$ 3,024.15	Service Terminated
		5192	FE	15	15	\$ 28.01	726/05		\$ 46.95		\$ 3,201.36	Adjustment Budget Cancel

*TYPE CODES: A - Actual IA - Initial (Actual)
 E - Estimate FA - Final (Actual)
 C - Customer ADJ - Adjustment

**PA. PUBLIC UTILITY COMMISSION
BUREAU OF CONSUMER SERVICES
CASE DECISION**

BCS Number:	1764961	Case Closed On:	2004-10-14
Investigator:	WILLIAMS, JR, HAROLD		
Account Number:	563270811	0063 - NFG (NATIONAL FUEL GAS DISTRIBUTION CORP)	
Customer Name:	JIMMIE SHELLEY		
Service Address:	912 BEECHWOOD AVE	Total Balance:	1489.90
		Date of Acct Balance:	2004-10-14
	FARRELL, PA 16121		
Decision Issued?	Y	Violation:	NO
Oral/Written:	W	Chap. 56/64 Other:	
Heading Date:	2004-10-15	Section/Rule:	

Resolution: SEE CS17 FOR TERMS OF PAR. WAIVE LPC'S CU TO PAY 522.94 + 69 RECONNECTION FEE=591.94 THAN LIRA PYMT 153 + 18=171.

Letter Description: CAP OFF DECISION

PAR Description:

No. 2's (OFFS) - To have Service Restored Pay: 591.94

No. 3's (REMEDS) - To Keep Service on Pay:

By:

Terms: Beginning:

Special Budget or Optional Payment Amount: 171.00

Regular Budget Amount: 153.00

Plus Payment Toward Arrears: 18.00

Final Bill Monthly Payment:

Current Bill Monthly Payment:

End of Month Payment:

Billing Date:

Reconnect Amt:

Payment Amt:

PUC Fax Nbr: 717 7876641

Times Sent: 1

Times Faxed:

0

RECEIVED
DEC 6 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**A. PUBLIC UTILITY COMMISSION
BUREAU OF CONSUMER SERVICES
CASE DECISION**

BCS Number:	1677150	Case Closed On:	2004-08-24
Investigator:	SHINDLE, ROBERT		
Account Number:	563270811	0063 - NFG (NATIONAL FUEL GAS DISTRIBUTION CORP)	
Customer Name:	JIMMIE SHELLEY		
Service Address:	912 BEECHWOOD AVE	Total Balance:	1383.78
	FARRELL, PA 16121	Date of Acct Balance:	2004-08-24
Decision Issued?	Y	Violation:	NO
Oral/Written:	W	Chap. 56/64 Other:	
Heading Date:	2004-08-24	Section/Rule:	
Resolution:	SEE CS17 FOR TERMS OF PAR.		
Letter Description:	CAP FULL CATCH-UP		
PAR Description:	YOU ARE ADVISED TO CONTACT THE DEPARTMENT OF PUBLIC WELFARE AND OTHER AVAILABLE SOCIAL AGENCIES FOR FINANCIAL ENERGY ASSISTANCE.		
No. 2's (OFFS) - To have Service Restored Pay:			
No. 3's (REMEDIATIONS) - To Keep Service on Pay:	822.00	By:	2004-09-10
Terms: Beginning:	OCTOBER 2004		
Special Budget or Optional Payment Amount:	168.00		
Regular Budget Amount:			
Plus Payment Toward Arrears:			
Final Bill Monthly Payment:			
Current Bill Monthly Payment:			
End of Month Payment:			
Billing Date:			
Reconnect Amt:			
Payment Amt:			
PUC Fax Nbr:	717 7876641		
Times Sent:	1	Times Faxed:	0

**A. PUBLIC UTILITY COMMISSION
BUREAU OF CONSUMER SERVICES
CASE DECISION**

BCS Number:	1869943	Case Closed On:	2005-07-26
Investigator:	BENNETT, JULIE		
Account Number:	563270811	0063 - NFG (NATIONAL FUEL GAS DISTRIBUTION CORP)	
Customer Name:	JIMMIE SHELLY		
Service Address:	912 BEECHWOOD AVE	Total Balance:	2740.07
	FARRELL, PA 16121	Date of Acct Balance:	2005-04-05
Decision Issued?	N	Violation:	NO
Oral/Written:	W	Chap. 56/64 Other:	
Heading Date:	2005-07-26	Section/Rule:	

Resolution: THE CUSTOMER HAS DEFAULTED ON A PRIOR PAYMENT ARRANGEMENT. THE CUSTOMER DOES NOT QUALIFY FOR NEW PAYMENT ARRANGEMENT TERMS. NO CII. NO SCIC. CASE DISMISSED. NO DECISION. LETTER SENT TO THE CUSTOMER.

Letter Description: CHAPTER 14 EGW DISMISS/CONTACT COMP LETTER

PAR Description:

No. 2's (OFFS) - To have Service Restored Pay:

No. 3's (REMEDI) - To Keep Service on Pay:

By:

Terms: Beginning:

Special Budget or Optional Payment Amount:

Regular Budget Amount:

Plus Payment Toward Arrears:

Final Bill Monthly Payment:

Current Bill Monthly Payment:

End of Month Payment:

Billing Date:

Reconnect Amt:

Payment Amt:

PUC Fax Nbr: 717 7876641

Times Sent: 1

Times Faxed: 0

**A. PUBLIC UTILITY COMMISSION
BUREAU OF CONSUMER SERVICES
CASE DECISION**

BCS Number:	1998013	Case Closed On:	2005-11-04
Investigator:	SCATTON, DENNIS		
Account Number:	563270811	0063 - NFG (NATIONAL FUEL GAS DISTRIBUTION CORP)	
Customer Name:	JIMMIE SHELLEY		
Service Address:	912 BEECHWOOD AVE	Total Balance:	3201.36
	FARRELL, PA 16121	Date of Acct Balance:	2005-10-24
Decision Issued?	N	Violation:	NO
Oral/Written:	O	Chap. 56/64 Other:	
Heading Date:	2005-11-04	Section/Rule:	
Resolution:	DISMISSAL LETTER SENT TO CUST. CU TO PAY 2,069 TO RESTORE SVC THEN BUDGET PLUS 91 PER MONTH.		
Letter Description:	CHAPTER 14 EGW OFF DISMISS LETTER		
PAR Description:			
No. 2's (OFFS) - To have Service Restored Pay:			
No. 3's (REMEDS) - To Keep Service on Pay:	2046.79	By:	
Terms: Beginning:			
Special Budget or Optional Payment Amount:			
Regular Budget Amount:	159.00		
Plus Payment Toward Arrears:			
Final Bill Monthly Payment:			
Current Bill Monthly Payment:			
End of Month Payment:			
Billing Date:			
Reconnect Amt:			
Payment Amt:			
PUC Fax Nbr:	717 7876641		
Times Sent:	1	Times Faxed:	0

