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

December 5, 2005

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

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DEC 7 2005

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Re: Paul Luketich v. Equitable Gas Co.
Docket No. C-20055593

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.

**DOCUMENT
FOLDER**

Yours very truly,
EQUITABLE GAS COMPANY



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

enc/

cc: Paul Luketich
427 Patton Street - Apt. 1
Pittsburgh, PA 15148

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PAUL LUKETICH)
)
)
 Complainant,)
)
 vs.)
)
 EQUITABLE GAS COMPANY,)
)
 Respondent.)

Complaint Docket
No. C-20055593

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PA PUBLIC UTILITY COMMISSION
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 427 Patton Street, Floor 1, Wilmerding, PA 15148 since April 21, 1983. The Complainant filed an informal complaint on September 20, 2005 regarding the service restoration amount requested by the Company. On September 21, 2005 the BCS closed the case without a decision. The account balance is \$4,116.84. The last customer payment was on March 10, 2005 for \$245.31. The regular monthly budget amount is \$348.00.

The Company has offered to restore service for \$2,456.42, which is one-half of the outstanding balance and one-half of the security deposit plus a \$50.00 reconnection fee. Once service is restored, the Complainant must pay his monthly budget amount plus \$86.00 monthly or become part of our

EAP program. At this time it appears the Complainant is ineligible for EAP as the premises consists of a three-unit building which the Complainant owns.

The Complainant has had two prior payment arrangements and this would be his third. Equitable has no way of knowing if the Complainant has been denied assistance grants. We would note that the Complainant must make a payment equaling the difference between the amount for restoration and the grant amount in order to qualify for assistance. Therefore, he still may qualify for grants if he makes the appropriate payments. In this case, Equitable is seeking substantially less than it could demand for turn-on.

WHEREFORE, the Respondent, Equitable Gas Company, respectfully requests that the subject Complaint be dismissed.

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 5, 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 5, 2005


JEFF MITCHELL

CERTIFICATE OF SERVICE

I, Daniel L. Frutchey, Esquire, hereby certify that on December 5, 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):

Paul Luketich
427 Patton Street, Floor 1
Wilmerding PA 15148



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.

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