

**BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

Aradiant Corporation,

Complainant,

v.

Docket No: ~~C-2015-2401287-~~ **C-2014-2401287**

Metropolitan Edison Company

Respondent

AMENDED FORMAL COMPLAINT

I. INTRODUCTION

Pursuant to Section 701 of the Public Utility Code, 66 Pa. C.S. § 701 and Sections 5.21, 5.22 and 1.81 of the Commission's Regulations, 52 Pa. Code §§ 5.21, 5.22 & 1.81, the Complainant in the above-captioned matter respectfully submits this Amended Complaint. This *submittal amends the Formal Complaint filed with the Pennsylvania Public Utility Commission* ("PUC" or "Commission") on or about January 16, 2014. In support of the Amended Formal Complaint, the Complainant sets forth the following.

1. The Complainant is:

Joseph T. Burgio, President
Aradiant Corporation
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2. Complainant's Counsel is:

Edward G. Lanza, Esq.
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3. Respondent is Metropolitan Edison Company (“Met-Ed”), an Electric Distribution Company (EDC) regulated by the Commission.

4. Complainant is an electric customer of Met-Ed receiving service as part of the General Service Medium (“GSM”) rate class at the address above under account number 100 016 033 118.

5. As set forth in more detail below, Met-Ed has failed to meet its obligations to provide adequate, efficient, safe, and reasonable service in violation of the Public Utility Code. 66 Pa. C.S. §1501.

II. REASON FOR COMPLAINT

A. Overcharges and Overbilling

6. For years, Met-Ed has overcharged Complainant for electric service in violation of the Public Utility Code. 66 Pa. C.S. § 1303.

7. Met-Ed has relied on estimated meter readings to produce incorrect bills that resulted in overcharging Complainant for electric service.

8. Met-Ed’s estimated bills are based on incorrect information, and the overbilling error has been perpetuated and exacerbated over time.

9. Met-Ed has relied on incorrect demand load readings to create bills that resulted in overcharging Complainant for electric service.

10. Met-Ed uses, for billing purposes, a demand load multiplier that is too high for the actual demand loads required by Complainant.

11. The use of an excessively high multiplier results in Met-Ed overcharging Complainant for electric service.

12. As far back as 2009, and again in 2011, Complainant's operations and concurrent power usage have been reduced substantially, but Met-Ed bills for electric usage did not go down.

13. Complainant has contacted Met-Ed numerous times seeking to resolve the overbilling situation, but the billing errors have not been fully corrected.

14. When Complainant alerted Met-Ed of billing errors, Met-Ed incorrectly re-billed the charges for electric service.

15. As a result of numerous billing errors, Complainant has had to overpay for electric charges to avoid threatened termination by Met-Ed.

B. Metering and Meter Reading Issues

16. For years, Met-Ed has failed to address issues with its metering and meter readings of Complainant's electric usage in violation of the Public Utility Code and the Commission's regulations. 66 Pa. C.S. §1501; 52 Pa. Code § 57.20 – 57.25.

17. Met-Ed has failed to take actual readings of Complainant's usage for significant periods of time and has had to rely on incorrect estimates to produce incorrect bills.

18. Complainant has offered to provide meter readings when Met-Ed has failed to read its meter, but Met-Ed has failed to use the actual readings to calculate Complainant's bills.

19. Met-Ed has relied on readings from a defective meter to produce incorrect bills.

20. At one point, Met-Ed installed a meter that malfunctioned and failed to record electric usage properly.

21. Meters installed by Met-Ed at Complainant's premises are not appropriately sized to register the low consumption and demand levels that Complainant experiences.

22. Met-Ed has failed to install a meter that can be read remotely to avoid errors in the estimated consumption used to calculate incorrect bills.

23. When Met-Ed has read its meter on a consistent basis, the usage registered on the bill has been significantly lower than its prior estimates.

24. As a result of issues with Met-Ed's meters and meter readings, Complainant has had to overpay for electric charges to avoid threatened termination by Met-Ed.

C. Customer Service Problems

25. Met-Ed has failed to provide Complainant adequate, efficient and reasonable service in violation of the Public Utility Code. 66 Pa. C.S. § 1501.

26. Over the years, Complainant and its representatives have made dozens of calls to Met-Ed in an attempt to resolve meter and billing issues.

27. Calls made to Met-Ed have not resulted in the resolution of the meter and billing issues raised by Complainant.

28. Prior to the commencement of the formal complaint proceeding, Met-Ed refused repeatedly to meet in person with Complainant to address overbilling concerns.

29. Met-Ed does not maintain offices in Complainant's area, and therefore, prior to the commencement of this formal complaint proceeding, Complainant was unable to meet with Met-Ed representatives to address ongoing billing issues.

30. Complainant was forced to wait on hold or spend inordinately long periods of time on the phone speaking with Met-Ed customer service representatives.

31. Met-Ed's customer service representatives refused to provide Complainant with the name or number of a person within the Company who could address billing concerns.

32. In written communications, Met-Ed failed to provide Complainant with the name or number of a person within the Company who could address billing concerns.

33. On multiple occasions, Met-Ed customer service representatives provided incomplete and/or inaccurate information.

34. On multiple occasions, Met-Ed customer service representatives acknowledged errors in billing, but the errors were not corrected.

35. Even though Met-Ed has been aware that Complainant disputes Met-Ed's charges and has commenced this formal complaint proceeding, the Company has continued to issue shut-off notices and threaten termination of service.

36. As a result of Met-Ed's failure to address billing and metering issues, Complainant was forced to overpay for electric charges to avoid threatened termination by Met-Ed.

III. RELIEF SOUGHT

37. Complainant respectfully requests that the Commission compel Met-Ed to correct billing errors that have caused Complainant to overpay for service.

38. The Commission should compel Met-Ed to eliminate or reverse any outstanding balance on Complainant's account.

39. The Commission should compel Met-Ed to issue full refunds for all overcharges to the extent permitted by law. 66 Pa. C.S. § 1312.

40. The Commission should compel Met-Ed to install an appropriately-sized meter that can be read remotely to avoid meter reading discrepancies.

41. In the alternative, the Commission should establish an appropriate procedure to ensure that Met-Ed performs actual meter readings to avoid estimation errors and resulting overcharges.

42. The Commission should compel Met-Ed to calculate Complainant's bill based on the appropriate levels of demand and consumption to avoid overcharges in the future.

43. The Commission should compel Met-Ed to cease and desist from any threats or attempts to shut off service for non-payment of disputed charges.

44. The Commission should impose fines, penalties and any other appropriate sanction for Met-Ed's long-standing and continued violation of its obligations to provide adequate and reasonable service. 66 Pa. C.S. § 3301.

IV. CONCLUSION

Based on the foregoing, Complainant respectfully requests that the Commission sustain the Formal Complaint in this matter and issue an Order granting the relief requested and any other remedy that the Commission deems just and appropriate.

Respectfully submitted,



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Counsel for Complainant

Date: December 11, 2015

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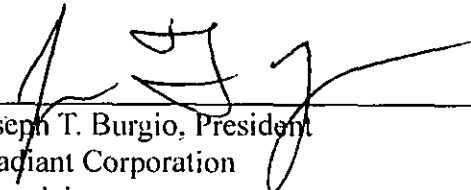
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VERIFICATION

I, Joseph T. Burgio, President of Aradiant Corporation, hereby state that the facts above set forth 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 falsification to authorities).



Joseph T. Burgio, President
Aradiant Corporation
Complainant

Date: December 11, 2015

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 Metropolitan Edison Company :

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the foregoing document upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and/or First Class Mail

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Date: December 11, 2015



Edward G. Lanza, Esq.

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