

April 5, 2016

Via Electronic Filing

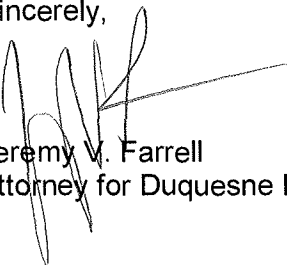
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Robert J. Kramer v. Duquesne Light Company
Docket No. F-2015-2499181

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's Motion to Correct Transcript. A copy of this document has been served upon Complainant in accordance with Commission regulations.

Sincerely,



Jeremy V. Farrell
Attorney for Duquesne Light Company

Enclosure

cc: Robert J. Kramer (with enclosure)

LIT:603417-1 014657-158498

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ROBERT J. KRAMER,	:	
	:	
Complainant,	:	
	:	
vs.	:	No: F-2015-2499181
	:	
DUQUESNE LIGHT COMPANY,	:	
	:	
Respondent.	:	

MOTION TO CORRECT TRANSCRIPT

Pursuant to 52 Pa. Code. § 5.253, Respondent Duquesne Light Company (“Duquesne Light”) files the following Motion to Correct Transcript:

1. An initial telephone hearing was held in the instant matter on November 25, 2015. The court reporting agency utilized during the initial telephonic hearing was Commonwealth Reporting Company, and the court reporter was Barbara Heinlein. Administrative Law Judge Dunderdale rendered her Initial Decision on March 3, 2016, which assessed penalties against Duquesne Light and awarded relief to Complainant. Contemporaneous with the filing of this Motion, Duquesne Light is filing Exceptions to the Initial Decision.

2. On March 29, 2016, undersigned counsel’s review of the transcript for the initial telephonic hearing indicated that the word “before” may have been improperly omitted from page 32, line 20 of the transcript. The pertinent exchange reads as follows, with the omitted word set forth in brackets:

Q. Based on your investigation, Ms. Mueller, are there any records indicating that before December 2nd of 2014 Mr. Kramer contacted Duquesne Light to request a different rate?

A. No.

Q. No, he did not?

A. No, he did not contact us.

Q. Based on your investigation, are there any records [before] the date of December 2nd, 2014 in which Mr. Kramer informed Duquesne Light that his property utilized an add-on heat pump?

A. He did not.

Tr., p. 32. A copy of the pertinent pages of the hearing transcript are attached as Exhibit A.

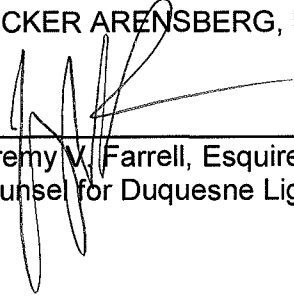
3. Stacey Sims, a paralegal with the law firm of Tucker Arensberg, PC, contacted Commonwealth Reporting Company on March 31, 2016, about this omission. On Friday, April 1, 2016, an employee from the Commonwealth Reporting Company confirmed that the word “before” was omitted and should be inserted on page 32, line 20. A copy of the relevant email chain is attached as Exhibit B.

3. According to 52 Pa. Code § 5.253 (a) “A correction in the official transcript may be made only to make it accurately reflect the evidence presented at the hearing and to speak the truth.” As reflected in Exhibit B, the transcript in this matter must be corrected so that it accurately reflects the evidence presented at the initial telephonic hearing.

4. This Motion is timely filed because it is filed within 10 days of Commonwealth Reporting Company’s review of the electronically recorded testimony. See 52 Pa Code. §5.253 (c)(2).

WHEREFORE, Duquesne Light Company respectfully requests an Order correcting the transcript by adding the word “before” to page 32, line 20 in the location noted in paragraph 2 of this Motion.

TUCKER ARENSBERG, P.C.



Jeremy W. Farrell, Esquire
Counsel for Duquesne Light Company

LIT:603417-1 014657-158498

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

-----X
: Docket No.
Robert Kramer v. : F-2015-2499181
Duquesne Light Company Appeal of BCS:
Decision - Billing Dispute :
: :
Initial Call-In Telephonic Hearing. :
: :
-----X

Pages 1 through 63 Piatt Place
301 Fifth Avenue, Suite 220
Hearing Room 2018
Pittsburgh, Pennsylvania

Tuesday, November 24, 2015

Met, pursuant to notice, at 10:03 a.m.

BEFORE:

KATRINA L. DUNDERDALE, Administrative Law Judge

APPEARANCES:

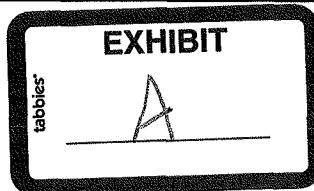
ROBERT KRAMER
111 Green Forest Drive
Baden, Pennsylvania 15005
(Pro se)

JEREMY V. FARRELL, Esquire
Tucker Arensberg, PC
1500 One PPG Place
Pittsburgh, Pennsylvania 15222
(For the Respondent)

Commonwealth Reporting Company, Inc.
700 Lisburn Road
Camp Hill, Pennsylvania 17011

(717) 761-7150

1-800-334-1063



1 has had a heat pump for at least 20 years, submitted field
2 activity to verify.

3 Q According to this record, does it provide any
4 indication as to whether or not Mr. Kramer was satisfied
5 with Duquesne Light's actions?

6 A Yes, it does. That C/S is the company's
7 abbreviation for customer satisfied.

8 Q Now, Ms. Mueller, have you reviewed company
9 records relating to Mr. Kramer's account that predate this
10 December 2nd, 2014 telephone call?

11 A Yes, I have.

12 Q Based on your investigation, Ms. Mueller, are
13 there any records indicating that before December 2nd of
14 2014 Mr. Kramer contacted Duquesne Light to request a
15 different rate?

16 A No.

17 Q No, he did not?

18 A No, he did not contact us.

19 Q Based on your investigation, are there any
20 records the date of December 2nd, 2014 in which Mr. Kramer
21 informed Duquesne Light that his property utilized an add-
22 on heat pump?

23 A He did not.

24 Q Please turn to the document pre-marked for
25 identification purposes as Exhibit 2. Let me know when you

1 taking the time to talk with me this morning.

2 In approximately two to four weeks, I will receive a
3 transcript from the court reporter. When I receive that
4 transcript, I will send a letter out to both sides and I
5 will indicate that I have received the transcript and that
6 as of the date of that letter, that is when the hearing
7 record will officially close in this case.

8 You can then expect a decision from the Commission to
9 come out within 90 days from the date of that letter.

10 Thank you all. I am going to go ahead and end the
11 proceeding. The time now is 11:50. I hope you all have a
12 good day.

13 (Whereupon, at 11:50 a.m., the hearing was adjourned.)

14

15 C E R T I F I C A T E

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

21

22

COMMONWEALTH REPORTING COMPANY, INC.

23

24

BY: Barbara A. Heinlein
Barbara A. Heinlein

25

Sims, Stacey

From: Commonwealth Reporting Company [reportco@commonwealthreporting.com]
Sent: Friday, April 01, 2016 10:55 AM
To: Sims, Stacey
Subject: RE: Kramer

Stacey,

I spoke with the reporter and she checked her record and the word "before" SHOULD be inserted on page 32; line 20. Sorry for any inconvenience this caused Attorney Farrell. Any more questions please contact the office.

Thanks,
Nicole

Commonwealth Reporting Company

Phone: (717) 761-7150

Toll Free: (800) 334-1063

Fax: (717) 761-7851

E-mail: reportco@commonwealthreporting.com

Website: www.commonwealthreporting.com

Notice: Please note our new email address:
reportco@commonwealthreporting.com

-----Original Message-----

From: Sims, Stacey [mailto:ssims@tuckerlaw.com]

Sent: Thursday, March 31, 2016 1:25 PM

To: 'reportco@commonwealthreporting.com'

Subject: RE: Kramer

Thanks.

From: Commonwealth Reporting Company [mailto:reportco@commonwealthreporting.com]

Sent: Thursday, March 31, 2016 1:19 PM

To: Sims, Stacey

Subject: RE: Kramer

Stacey,

I will have the reporter check her record, and I will let you know once I hear back from her.

Nicole

Commonwealth Reporting Company

Phone: (717) 761-7150

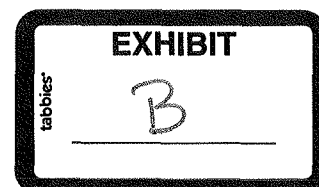
Toll Free: (800) 334-1063

Fax: (717) 761-7851

E-mail: reportco@commonwealthreporting.com

Website: www.commonwealthreporting.com

Notice: Please note our new email address:
reportco@commonwealthreporting.com



-----Original Message-----

From: Sims, Stacey [<mailto:ssims@tuckerlaw.com>]
Sent: Thursday, March 31, 2016 11:22 AM
To: 'reportco@commonwealthreporting.com'
Subject: RE: Kramer

Attorney Farrell wanted me to follow up again. He wanted to know if anyone checked the hearing recording on the issue below and verify if the word was used or not so we know how to proceed. He also mentioned that he believes that in another proceeding the court reporter and at least listened to the recording again for us. Thanks.

From: Commonwealth Reporting Company [<mailto:reportco@commonwealthreporting.com>]
Sent: Tuesday, March 29, 2016 10:32 AM
To: Sims, Stacey
Subject: RE: Kramer

Stacey,
I Spoke with the manager and under our contract we actually do not make corrections for the PUC. Attorney Farrell needs to file a motion for correction with the secretary of the PUC. Her name is Deana Schlegel, her phone number is (717) 787-1191. Sorry for the inconvenience.

Thanks,
Nicole

Commonwealth Reporting Company
Phone: (717) 761-7150
Toll Free: (800) 334-1063
Fax: (717) 761-7851
E-mail: reportco@commonwealthreporting.com
Website: www.commonwealthreporting.com

Notice: Please note our new email address:
reportco@commonwealthreporting.com

-----Original Message-----

From: Sims, Stacey [<mailto:ssims@tuckerlaw.com>]
Sent: Tuesday, March 29, 2016 10:02 AM
To: 'reportco@commonwealthreporting.com'
Subject: FW: Kramer

Per Attorney Farrell see below:

If the word "before" is missing from page 32, line 20.

I think it should read: "Based on your investigation, are there any records before the date of..."

If a word is missing, please ask that she correct and send a new page 32. It's an important distinction.

Thank you for your attention to this. The new page can be sent back to me.

From: Commonwealth Reporting Company [<mailto:reportco@commonwealthreporting.com>]
Sent: Friday, March 18, 2016 1:01 PM

To: Sims, Stacey
Subject: Kramer

Attached please find the transcript of Robert Kramer taken on November 24, 2015. Any questions please contact the office.

Thanks,
Nicole

Commonwealth Reporting Company
Phone: (717) 761-7150
Toll Free: (800) 334-1063
Fax: (717) 761-7851
E-mail: reportco@commonwealthreporting.com
Website: www.commonwealthreporting.com

Notice: Please note our new email address:
reportco@commonwealthreporting.com

