

July 29, 2016

Via Electronic Filing

Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
Commonwealth Keystone Building, 2 North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company
Motion of Penn Power for Judgment on the Pleadings**

Dear Secretary Chiavetta:

Attached for filing is the Motion of Respondent, Pennsylvania Power Company (Penn Power), for Judgment on the Pleadings to the Formal Complaint of Charlotte Hagood (Complainant).

A copy of the Motion has been forwarded to the Complainant in the manner indicated on the attached Certificate of Service.

If there are any questions, please contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/jmm
Attachment

cc: Amy M. Klodowski, Esquire, FirstEnergy Service Company [w/enc.]
Charlotte Hagood [w/enc.]

**Re: Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company
Motion of Penn Power for Judgment on the Pleadings**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the person(s) listed below, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

Via Electronic and First Class Mail

Charlotte Hagood
156 Treesdale Drive
Cranberry Township, PA 16066
aaronhagood@gmail.com

Dated: July 29, 2016


Margaret A. Morris, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLOTTE HAGOOD

v.

PENNSYLVANIA POWER COMPANY

:
:
:
:
:

Docket No. C-2016-2552266

NOTICE TO PLEAD

Pursuant to 52 Pa.Code §5.103, you are hereby notified that if you do not file a written response answering the enclosed Motion of Pennsylvania Power Company within twenty (20) days from service of this Notice, the facts set forth by the Pennsylvania Power Company in the Motion may be deemed to be true, whereby requiring no other proof. All pleadings, such as a Reply to Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Pennsylvania Power Company, Margaret A. Morris, Esq., and where applicable, the Administrative Law Judge presiding over the issue.

File with:

Rosemary Chiavetta, Esq.
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105

With a copy to:

Margaret A. Morris, Esq.
Reger Rizzo & Darnall LLP
CIRA Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104

Date: July 29, 2016



Margaret A. Morris, Esq.
Attorney ID No 75048
Reger Rizzo & Darnall LLP
CIRA Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (voice)
(215) 495-6600 (fax)
mmorris@regerlaw.com

Counsel for Pennsylvania Power Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLOTTE HAGOOD	:	
	:	
v.	:	Docket No. C-2016-2552266
	:	
PENNSYLVANIA POWER COMPANY	:	

**MOTION FOR JUDGMENT ON THE PLEADINGS
OF PENNSYLVANIA POWER COMPANY**

Now comes Pennsylvania Power Company (Company or Respondent), pursuant to 52 Pa. Code Section 5.102, and files its Motion for Judgment on the Pleadings in the above-captioned case, seeking dismissal, with prejudice, of the Formal Complaint (Complaint) filed by Charlotte Hagood (Complainant). A hearing in this case is unnecessary, because even if all of the averments of the Complainant's allegations are proven, those facts do not set forth a claim for which relief can be granted. The Commission does not have the authority to direct a second payment arrangement (PAR) since the Complainant's household income has not decreased as required by the Pennsylvania Public Utility Code (Code). In further support of its Motion, Respondent avers as follows:

BACKGROUND

1. On June 20, 2016, the Complainant filed a Formal Complaint seeking a Commission PAR for the undisputed balance of \$4,769.70. A copy of the Formal Complaint is provided as Attachment 1.

2. On July 8, 2016, the Respondent filed its Answer and New Matter denying the material allegation of the Formal Complaint and averring that the Complainant's household income increased and the Commission was without authority to direct a second Commission PAR. A copy of Respondent's Answer and New Matter is provided as Attachment 2.

3. A responsive pleading was due July 26, 2016. To date, Complainant has not filed a Reply to the New Matter; therefore, all relevant pleadings have now been filed.

4. Pursuant to 52 Pa. Code §5.102(a), "after the pleadings are closed, but within a time so that the hearing is not delayed, a party may move for judgment on the pleadings . . ."

5. The presiding officer should grant judgment on the pleadings if the applicable pleadings show that there is no genuine issue as to a material fact and that the moving party is entitled to a judgment as a matter of law. 52 Pa. Code §5.102(d)(1); see also *Chester Water Auth. v. Pa. Pub Util. Comm'n.*, 822 A2d 146, 149 (Pa.CmwltH 2003).

6. In considering a motion for judgment on the pleadings, the Commission must accept all of the non-movant's well-pled allegations as true and should grant judgment when the pleadings show there are no material facts in dispute so that a hearing is unnecessary. *Chester Water Auth.*, 822 A.2d at 150; see also *Coleman v. Duane Morris, LLP*, 58 A3d 833 (PA.Super. 2012).

7. On February 25, 2015, the Complainant filed an informal complaint seeking a Commission PAR and reported a gross household income of \$4,553.34. A Level 2¹ PAR was directed in BCS Decision No. 3321966, closed February 26, 2015 (2015 Commission PAR).

8. The Complainant defaulted on the 2015 Commission PAR due to non-payment.

9. On April 25, 2016, the Complainant filed an informal complaint seeking another Commission PAR and reported a gross household income of \$5,878.00. The request was denied in BCS Decision No. 3432286, closed June 1, 2016, consistent with Section 1405(d) of the Code (2016 PAR Request).

10. Section 1405(d) of the Code prohibits a second Commission PAR absent a change in income.

11. The Complainant has not reported a decrease in income in the 2016 PAR Request. Rather the Complainant's reported gross household income increased by \$1,325.00 since the 2015 Commission PAR was directed.

12. The Complainant does not meet the statutory requirements of Section 1405(d) of the Code for a subsequent Commission PAR.

13. For the reasons set forth above, it is clear that the Complainant has failed to plead facts, which, if taken as true, would allow for relief under Section 1405 of the Code. The

¹ Level 2 is defined as a household with gross monthly income level not exceeding 200% of the Federal poverty level. 66 Pa.C.S. § 1405(b)(2).

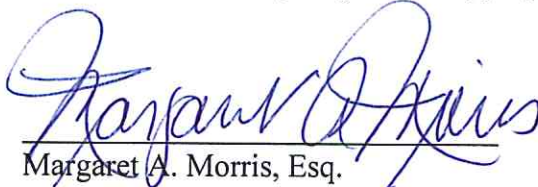
Complainant's requested relief for a second Commission PAR cannot be granted because the household income increased and as a matter of law is not permitted under the Code. Therefore, the Complaint should be dismissed and the docket should be marked closed.

CONCLUSION

Even accepting all of the Complainant's pled averments as true and viewing the pleadings in a light most favorable to her, it is clear that the Complaint is fatally flawed because it fails to meet the requirements of relief is warranted under 66 Pa. C.S. 1405. A hearing in this matter would result in a waste of the Commission's and the parties' time and resources because ultimate relief under Section 1405 is unavailable. Accordingly, the instant Motion for Judgment on the Pleadings should be granted and Complainant should be dismissed.

WHEREFORE, for the reasons set forth above, Pennsylvania Power Company, respectfully requests that this Honorable Commission grant this Motion for Judgment on the Pleadings, find as a matter of law that the pleadings do not give rise to factual allegations which could warrant the granting of ultimate relief under 66 Pa. C.S. § 1405, enter an Order dismissing the Complaint of Charlotte Hagood, and provide such other relief as may be just and appropriate in the instant matter.

Date: July 29, 2016



Margaret A. Morris, Esq.
Attorney ID No. 75048
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 tel.
(215) 495-6600 fax
mmorris@regerlaw.com

Counsel for Pennsylvania Power Company

Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company

Attachment 1

Formal Complaint of
Charlotte Hagood

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

Filing this form begins a legal proceeding and you will be a party to the case. If you do not wish to be a party to the case, consider filing an informal complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name Charlotte HAGOOD
Street/P.O. Box 156 Treesdale dr. Apt #
City Cranberry Twp State Pa Zip 16066
County Butler

Telephone Number(s) Where We Can Contact You During the Day:

(724) 741-0227 (home) (724) 553-6358 (mobile)

E-mail Address (optional): aaronhagood@gmail.com

Utility Account Number (from your bill) 110094258263

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name
Street/P.O. Box
City State Zip

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

Penn Power

RECEIVED
2016 JUN 20 AM 9:58
PA.P.U.C.
SECRETARY'S BUREAU

3. **Type of Utility Service**

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- | | |
|--|---|
| <input checked="" type="checkbox"/> ELECTRIC | <input type="checkbox"/> WASTEWATER/SEWER |
| <input type="checkbox"/> GAS | <input type="checkbox"/> TELEPHONE/TELECOMMUNICATIONS (local, long distance) |
| <input type="checkbox"/> WATER | <input type="checkbox"/> MOTOR CARRIER (e.g. taxi, moving company, limousine) |
| <input type="checkbox"/> STEAM HEAT | |

4. **Reason for Complaint**

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

The utility is threatening to shut off my service or has already shut off my service.

I would like a payment agreement.

Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.

I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

Other (explain).

5. **Requested Relief**

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

I do understand the reasoning for the denial of assistance with payment plan due to my default on previous arrangement. However, this is a difficult time and my finances has been hit by a number of factors beyond my control. I appeal to you to re-consider a payment plan that can afford me the ability to resolve my debt, and continue to meet my other obligations without the interruption of my service. As you can confirm by this letter, I am committed in resolving my debt. I would be agreeable with any reasonable payment plan you could afford me. Thank you for your consideration.

6. Protection From Abuse (PFA)

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

NO

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

8. **Legal Representation**

If you are filing a Formal Complaint as an individual on your own behalf, you are **not** required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer **in this matter**, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

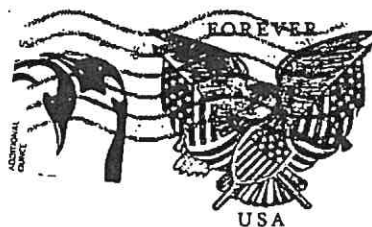
Area Code/Phone Number _____

E-mail Address (if known) _____

Charlotte Hagood
156 Treesdale dr.
Cranberry Twp. Pa.
16066

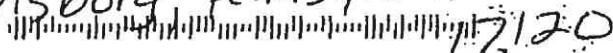
PITTSBURGH PA 150

16 JUN 2016 PM 2 L



Secretary
Pennsylvania Public Utility Commission
400 North St.
Harrisburg, Pennsylvania

17120-007999



Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company

Attachment 2

Answer and New Matter of
Penn Power

July 8, 2016

Via Electronic Filing
Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
Commonwealth Keystone Building, 2 North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company
Answer and New Matter of Penn Power

Dear Secretary Chiavetta:

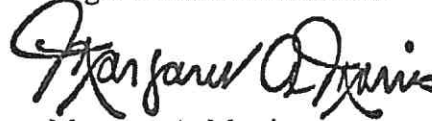
Attached for filing is the Answer and New Matter of Respondent, Pennsylvania Power Company (Penn Power), to the Formal Complaint of Charlotte Hagood (Complainant).

A copy of the Answer and New Matter has been forwarded to the Complainant in the manner indicated on the attached Certificate of Service.

If there are any questions, please contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/jmm
Attachment

cc: Amy M. Klodowski, Esquire, FirstEnergy Service Company [w/att.]
Charlotte Hagood [w/enc.]



PENNSYLVANIA

PUBLIC UTILITY COMMISSION

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Your filing has been electronically received. Upon review of the filing for conformance with the Commission's filing requirements, a notice will be issued acknowledging such compliance and assigning a Docket Number. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

Print this page for your records. The date filed on will be the current day if the filing occurs on a business day before or at 4:30 PM Harrisburg, PA time. It will be the next business day if the filing occurs after 4:30 PM Harrisburg, PA time or on weekends or holidays.

If your filing exceeds 250 pages, you are required to submit one paper copy of the filing within 3 business days of submitting the electronic filing. This paper copy can be mailed to: Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120 . Please print a copy of this page and attach it to the paper copy of your filing as the first page.

eFiling Confirmation	
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Description:	Charlotte Hagood v. Pennsylvania Power Company
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Uploaded File List

File Name	Document Class	Document Type
ANM - Hagood.pdf	Communication	Answer to Formal Complaint

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Re: Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company
Answer and New Matter of Penn Power

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the person(s) listed below, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

Via Electronic and First Class Mail

Charlotte Hagood
156 Treesdale Drive
Cranberry Township, PA 16066
aaronhagood@gmail.com

Dated: July 8, 2016



Margaret A. Morris, Esq.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHARLOTTE HAGOOD

v.

PENNSYLVANIA POWER COMPANY

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Docket No. C-2016-2552266

NOTICE TO PLEAD

Pursuant to 52 Pa.Code § 5.63, you are hereby notified that if you do not file a written response answering the enclosed New Matter of Pennsylvania Power Company within twenty (20) days from service of this notice, the facts set forth by Pennsylvania Power Company in the New Matter may be deemed to be true, whereby requiring no other proof. All pleadings, such as a Reply to New Matter, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Pennsylvania Power Company, Margaret A. Morris, Esq., and where applicable, the Administrative Law Judge presiding over the issue.

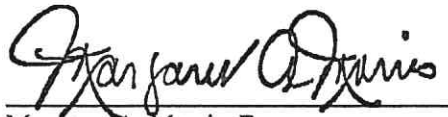
File with:

Rosemary Chiavetta, Esq.
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building – 2 North
P.O. Box 3265
Harrisburg, PA 17105

With a copy to:

Margaret A. Morris, Esq.
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104

Date: July 8, 2016



Margaret A. Morris, Esq.
Attorney ID No. 75048
Reger Rizzo & Darnall LLP
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Philadelphia, PA 19104
(215) 495-6524 tel.
(215) 495-6600 fax
mmorris@regerlaw.com

Counsel for Pennsylvania Power Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHARLOTTE HAGOOD

v.

PENNSYLVANIA POWER COMPANY

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:
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Docket No. C-2016-2552266

**ANSWER AND NEW MATTER OF PENNSYLVANIA POWER COMPANY
TO THE COMPLAINT OF CHARLOTTE HAGOOD**

Pennsylvania Power Company (Respondent or Company), by and through its attorneys, Reger Rizzo & Darnall LLP, pursuant to 52 Pa. Code § 5.62, hereby submits its Answer and New Matter to the Complaint filed by Charlotte Hagood (Complainant). In response thereto, Respondent avers and represents as follows:

1. Admitted upon information supplied by the Complainant.

2. Admitted that Respondent's name is Pennsylvania Power Company.

3. Admitted that Respondent provides residential electric service to Complainant at 156 Treedale Drive, Cranberry Township, Pennsylvania (Service Location) under Account number 110094258263 (Account).

4. Admitted that the Respondent sent Complainant a 10-day notice indicating that her service was subject to termination for an outstanding balance of \$3,449.51. Denied that a PUC payment arrangement (PAR) is permitted for the arrears. The Respondent specifically avers

that at all times relevant to this proceeding, the Company's actions have been reasonable and performed in accordance with all applicable laws, as well as the Company's Commission-approved Tariff, the Pennsylvania Public Utility Code (Code), Commission regulations and orders.

By way of background, the Complainant established service on December 21, 2012. The account is enrolled in budget billing;¹ the current budget amount is \$274.00. The Complainant does not pay her monthly bills in full or by the due date. There have been nine payments in the last 24 months. The last payment, in the amount of \$504.29, was posted on October 15, 2015. Late payment charges and a security deposit were lawfully billed. A 2015 Level 2² PUC PAR defaulted due to non-payment.³ Two Company PARs defaulted due to non-payment.⁴ There are no disputed charges. The account has been properly billed and all bills are correct as rendered. The account balance as of June 8, 2016 is \$4,769.70. A copy of the Account Statement is provided as Attachment 1.

By way of further answer, in the present Formal Complaint, the Complainant seeks a second PUC PAR. The Respondent specifically denies that the Complainant is entitled a second PUC PAR or an extension of the defaulted PUC PAR. The Complainant defaulted on the Level 2 PAR directed by the Commission's Bureau of Consumer Services (BCS) in BCS Decision No. 3321966 (BCS PAR) which became a PUC PAR when the Complainant did not

¹The equal payment plan or budget program is for residential customers and designed to make their monthly payments consistent throughout an entire year, leveling out seasonal highs and lows. The budget amount is based on the average of the last 12 months, is reviewed quarterly and adjusted accordingly based on the customer's usage.

² Level 2 is defined as a household with gross monthly income level not exceeding 200% of the Federal poverty level. 66 Pa.C.S. § 1405(b)(2).

³ BCS Decision No. 3321966, closed February 26, 2015.

⁴ June 11, 2013 and January 30, 2014.

timely appeal the BCS Decision (2015 PUC PAR). *DiOrazio v. North East Heat and Light Company*, Docket No. F-2008-2052918 (Opinion and Order entered June 15, 2009). A copy of BCS Decision No. 3321966, closed February 26, 2015 is provided as Attachment 2.

The Company specifically avers that the Code prohibits the requested relief absent a change in income or significant change of circumstances. 66 Pa.C.S. §§ 1405(d) and 1404(e). There has been no decrease in income or significant change of circumstances as required by the Code. The 2015 PUC PAR was based on a household size of five with monthly income of \$4,553.34.⁵ The Company avers that BCS dismissed the underlying informal complaint in BCS Decision No. 3432286, finding the alleged change in income to be invalid. BCS specifically found that the current household income had increased by \$1,325.00⁶ since the 2015 PUC PAR was directed. The Company specifically avers that the Complainant's household income has increased, not decreased, since the defaulted 2015 PUC PAR; the Commission lacks authority to direct a second PUC PAR. 66 Pa.C.S. § 1405(d). There has been no allegation of a significant change of circumstances; the Commission lacks authority to extend the defaulted 2015 PUC PAR. 66 Pa.C.S. § 1404(e).

However the household budget is managed, the Complainant must pay for the utility services consumed. A public utility is entitled to full payment (at the currently approved tariff rate) for service provided to customers. *Scaccia v. West Penn Power Co.*, 55 Pa. PUC 637 (1982); *Kea v. Peoples Natural Gas Co.*, 60 Pa. PUC 215 (1985); *Mill v. Pa. PUC*, 623 A.2d 1100 (Pa. Cmwlth. 1982). Furthermore, 52 Pa. Code § 56.16(b) imposes an absolute obligation

⁵ The terms of the PUC PAR were budget bill plus \$47.00 beginning with the April 2015 Bill.

⁶ BCS confirmed that the household size was 5 with monthly income of \$5,878.00.

to “utilize the procedures in [Chapter 56] to effectively manage customer accounts to prevent the accumulation of large, unmanageable arrearages,” such as the Complainant’s. Consequently, conduct similar to that of the Complainant thwarts the Company’s efforts to collect payment for such services; and other customers, who dutifully and regularly provide payment for their utility service, must shoulder this expense, as unpaid bills are included in the utility’s uncollectible expenses. *Bolt v. Duquesne Light Co.*, 66 Pa. P.U.C. 463 (1988); *O’Toole v. The Bell Telephone Company of Pennsylvania*, Docket No. C-923964 (Final Order entered August 20, 1992). Here, the Company has provided the Complainant with continuous residential electric service totaling \$4,769.70 without payment.

The Respondent admits that it sent a 10-day notice, dated March 30, 2016, advising the Complainant that her service was subject to termination for a delinquent amount of \$3,449.51. Termination was stayed upon receipt of the present Formal Complaint.

5. To the extent the allegations contained within this paragraph are construed to purport allegations of fact, rather than requests for relief, any such allegation of fact is denied. By way of further response, this paragraph contains a prayer for relief to which no response is required. The Respondent specifically denies that Complainant is entitled to the relief requested, i.e., second affordable PUC PAR.

6. No response required.

7a. Admitted that this is an appeal of the most recent informal complaint at BCS Decision No. 3432286 discussed *supra*. A copy of BCS Decision No. 3432286, closed June 1, 2016, is provided as Attachment 3.

7b. No response required.

7c. No response required.

8. No response required.

9. No response required.

10. No response required.

NEW MATTER

11. The Complainant defaulted on the 2015 PUC PAR directed in BCS Decision No. 3321966, closed February 26, 2015.

12. The Complainant's household monthly income increased by \$1,325.00 since the 2015 PUC PAR was directed. *See*, BCS Decision No. 3432286.

13. The Code does not permit the Commission to direct a second PUC PAR for the Complainant absent a change in income. 66 Pa.C.S. § 1405(d).

14. There has been no allegation of a change in circumstances.

15. The Code does not permit the Commission to extend the defaulted PUC PAR for the Complainant absent a significant change of circumstances. 66 Pa.C.S. § 1404(e).

16. There are no disputed charges.

17. The Complainant has an obligation to pay all undisputed charges on the account. 52 Pa. Code § 56.141.

18. The Respondent is authorized to begin the suspension and termination process for delinquent undisputed current charges. 52 Pa. Code § 56.81.

WHEREFORE, Respondent, Pennsylvania Power Company requests that the

Complaint filed by Charlotte Hagood be dismissed with prejudice or denied in its entirety; and that the proceedings be expedited given the size of the account balance.

Respectfully submitted,

Dated: July 8, 2016



Margaret A. Morris, Esquire
Reger Rizzo & Darnall LLP
Attorney I.D. # 75048
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (voice)
(215) 495-6600 (fax)
mmorris@regerlaw.com

Counsel for Pennsylvania Power Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHARLOTTE HAGOOD :
 :
 :
 v. : Docket No. C-2016-2552266
 :
 PENNSYLVANIA POWER COMPANY :

VERIFICATION

Gina Dietrich states that she is Advanced Customer Services Compliance Specialist for FirstEnergy Service Co., that she is authorized to make this verification on its behalf, and that the facts set forth in the attached Answer are true and correct to the best of her knowledge, information and belief. She understands that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: July 2, 2016


GINA DIETRICH

Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company

Attachment 1

Account Statement
Account No. 110094258263



DETAILED STATEMENT OF ACCOUNT

Customer Name: CHARLOTTE HAGOOD Account Number: 110094258263
 Service Address: 156 TREES DALE DR
 CRANBERRY TWP PA 16066

Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Type	Account Balance	
07/10/14	07/10/14	KWH	42,741	1,465	30	49	Act	53.59	146.35	199.94	234.00	08/04/14				1,156.01	
07/10/14																	1,154.17
07/11/14																	699.45
08/12/14	08/12/14	KWH	44,150	1,409	33	43	Act	52.89	140.76	193.65	254.00	09/03/14				897.48	
08/12/14																	895.70
09/10/14	09/10/14	KWH	45,420	1,270	29	44	Act	48.88	126.87	175.75	254.00	10/02/14				1,079.58	
09/10/14																	1,077.91
09/23/14																	603.08
																	607.11
10/11/14	10/11/14	KWH	926	926	17	54	Act	59.76	197.24	257.00	254.00	11/03/14				865.66	
10/29/14	09/23/14	KWH	46,139	719	13	55	Act										863.82
																	607.11
																	607.11
																	607.11
11/10/14	11/10/14	KWH	3,094	2,168	31	70	Act	74.96	259.94	334.90	96.00	12/02/14				947.96	
11/10/14																	946.29
12/02/14																	946.29
12/10/14	12/10/14	KWH	6,268	3,174	30	106	Act	296.49		296.49	266.00	01/02/15				696.29	
12/10/14																	696.29
01/12/15	01/12/15	KWH	10,132	3,864	33	117	Act	338.11		338.11	266.00	02/03/15				1,351.44	
01/12/15																	1,351.44
02/12/15	02/12/15	KWH	13,434	3,302	31	107	Est	294.38		294.38	201.00	03/09/15				1,350.49	
																	1,662.80
																	1,662.80
																	1,662.80
03/14/15	03/14/15	KWH	16,885	3,451	29	119	Est	312.32		312.32	201.00	04/06/15				1,661.97	
03/14/15																	1,974.29
04/11/15	04/10/15	KWH	19,589	2,704	28	97	Act	252.59		252.59	201.00	05/04/15				2,230.22	
																	2,230.22
																	2,230.22

Supplier Switch Respond Power, LLC to Pennsylvania Power Co on 11/10/2014.
 Meter 5000003436 installed on 09/24/2014.
 Meter L060056016 removed on 09/23/2014.
 Installation plan deactivated on 02/27/2015 - Installation Plan In Arrears.
 Installation plan started on 02/27/2015 for current + 47.00.

Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company

Attachment 2

BCS Decision No. 3321966
Closed: February 26, 2015

Assigned To

Assigned Analyst
 Delaney, Charee M
 Customer Information

Case Number

3321966

Account Number

110094258263

First Name

CHARLOTTE

Last Name

HAGOOD

Service Address

Address1

Address2

Service City

Service State

Service Zip

Service Class

Work Phone

Home Phone

Mailing Address

Address1

156 TREESDALE DR

Address2

City

CRANBERRY TOWNSHIP

State

PA

Mail Zip

16066

Family

Family Size

5

Children

3

Age

15,12,10

Adults

2

General

PUC Date Opened

2/25/2015

PUC Date Prepared

2/25/2015

Received Date

2/25/2015

PUC Date Closed

2/26/2015

Case Information

Prior Case Number

0

Term Date

Arrearage

1047

Case Origin

TELEPHONE

Universal Service

No

Income

WAGES - \$1386.67

Source

Business Name

AARON CALLED

WAGES - \$3166.67

Reason For Contact

ON - PAR NEEDED (# 61)

Case Problem

Company Position

02/25/2015 CO. RREQUEST PAST DUE BALANCE OF 1047.52 BE PAID IN FULL TO CONTINUE SERVICE ON

Related Information

CUSTOMER

DEFAULT ON PAYMENT AND WANT PAR WUTH PUC

Misc. Info.

Hot Issue

PUC Investigator / Intaker

Investigator First Name	Investigator Last Name	Investigator Phone
BCS	CASE POOL	(717)
Intaker First Name	Intaker Last Name	
EVERETT	KINCHLOE	

Status

Status

Closed

History

Click To Expand



Is Archived



Customer Information

Case Number

3321966

Customer First Name

CHARLOTTE

Customer Last Name

HAGOOD

Account Number

110094258263

Service Address

Address 1

156 TREESDALE DRIVE

Address 2

City

CRANBERRY TOWNSHIP

Service State

PA

Zip

16066

Home Phone

Work Phone

Mailing Address

Address 1

156 TREESDALE DR

Address 2

City

CRANBERRY TOWNSHIP

State

PA

Zip

16066

Family

Adults

2

Family Size

5

Children

3

Age

15,12,10

General

PUC Date Opened

2/25/2015

PUC Sent Date

2/26/2015

PUC Date Closed

2/26/2015

Assigned To

Assigned Analyst

Delaney, Charee M

Case Information

PUC Violation

NO

PUC Chapter

0

Section Rule

Balance Date

2/26/2015

Head Date

3/2/2015

Bill Date

PUC Service Continue Date

Total Balance	PUC Service Restored Pay	PUC Special Budget Amount
1662.80	0.00	308.00
Regular Budget Amount	PUC Service Continue Amount	Arrears Payment Plus
261.00	0.00	47.00
Final Monthly Payment	Current Monthly Payment	End Monthly Payment
0.00	0.00	0.00
Reconnect Amount	Pay Amount	
0.00	0	

PUC Terms

APRIL 2015 BILL DUE DATE

Letter Description

Resolution

LEVEL 2, BB 261.00 + 47.00 = 308.00 BEGINNING
APRIL 2015.

Has Decision Issue

Response Time

Other Information

Investigator First Name

BUREAU OF

Investigator Area Code

717

Investigator Fax Area Code

Investigator Last Name

CONSUMER SERVICE

Investigator Phone

Investigator Fax

Intaker First Name

EVERETT

Status

Intaker Last Name

KINCHLOE

Is SAP Completed

✓

SAP Completion Date

2/27/2015

History

Click To Expand



Docket No. C-2016-2552266
Charlotte Hagood v. Pennsylvania Power Company

Attachment 3

BCS Decision No. 3432286
Closed: June 1, 2016

Assigned To

Assigned Analyst
Simotas, Alexandros N
Customer Information

Case Number

3432286

Account Number

110094258263

First Name

CHARLOTTE

Last Name

HAGOOD

Service Address

Address1

156 TREESDALE DRIVE

Address2

Service City

CRANBERRY TOWNSHIP

Service State

PA

Service Zip

16066-0

Service Class

Work Phone

Home Phone

Mailing Address

Address1

Address2

City

State

Mail Zip

Family

Family Size

5

Children

3

Age

11,13,16

Adults

2

General

PUC Date Opened

4/25/2016

PUC Date Prepared

4/25/2016

Received Date

4/25/2016

PUC Date Closed

6/1/2016

Case Information

Prior Case Number

3321966

Term Date

5/5/2016

Arrearage

0

Case Origin

TELEPHONE

Universal Service

No

Income

WAGE - \$2600

Source

Business Name

AARON CALLED

A2-WAGE - \$1800

Reason For Contact

CII

- CHANGE IN INCOME PAR (#71)

Case Problem

Company Position

04/21/2016 CO REQUESTING \$2077 TO AVOID TERM.

Related Information

CII// CU CALLED HAD PRIOR PUC PAR THAT WAS DEFAULTED. CU STATE THAT SHORTLY PUC DECISION WAS RENDERED IN 2015, HE LOST HIS JOB. CU STATE THAT HE WAS OUT OF WORK BETWEEN MARCH/ APRIL UNTIL OCTOBER OF 2015. CU STATE THAT HE CAN PROVIDE RECORDS AND DOCUMENTATION NEEDED FOR LOSS OF INCOME. CU REQUESTING A NEW PAR TO AVOID TERM AND GET HELP BREAKDOWN BACK BILL.

- RELIEF SOUGHT -

Misc. Info.

Hot Issue

PUC Investigator / Intaker

Investigator First Name	Investigator Last Name	Investigator Phone
BCS	CASE POOL	(717)
Intaker First Name	Intaker Last Name	
RICKY	WJAYA	
Status		

Status

Closed

History

Click To Expand



Is Archived

Customer Information

Case Number

3432286

Customer First Name

CHARLOTTE

Customer Last Name

HAGOOD

Account Number

110094258263

Service Address

Address 1

156 TREESDALE DRIVE

Address 2

City

CRANBERRY TOWNSHIP

Service State

PA

Zip

16066

Home Phone

Work Phone

Mailing Address

Address 1

Address 2

City

State

Zip

Family

Adults

2

Family Size

5

Children

3

Age

11,13,16

General

PUC Date Opened

4/25/2016

PUC Sent Date

6/1/2016

PUC Date Closed

6/1/2016

Assigned To

Assigned Analyst

Simotas, Alexandros N

Case Information

PUC Violation

NO

PUC Chapter

Section Rule

Balance Date

5/18/2016

Head Date

6/3/2016

Bill Date

PUC Service Continue Date

Total Balance	PUC Service Restored Pay	PUC Special Budget Amount
4299.91	0.00	0.00
Regular Budget Amount	PUC Service Continue Amount	Arrears Payment Plus
274.00	3115.32	0.00
Final Monthly Payment	Current Monthly Payment	End Monthly Payment
0.00	0.00	0.00
Reconnect Amount	Pay Amount	
0.00	0.00	

PUC Terms

Letter Description

CHAPTER 14 EGW ON DISMISS LETTER

Resolution

CII INVALID-- CU HAD

PRIOR PUC PA R(3321966) BEGINNING 4/15--- DEFAULTED GMI 4553 (2 ADULTS, 3 CHILDREN).. CURRENT CASE: CU CONFIRM INCOME OF 5878 (2 ADULTS, 3 CHILDREN)

Has Decision Issue Response Time

Other Information

Investigator First Name	Investigator Last Name
RICKY	WJAYA
Investigator Area Code	Investigator Phone
717	
Investigator Fax Area Code	Investigator Fax

Intaker First Name	Intaker Last Name
RICKY	WJAYA
Status	

Is SAP Completed	SAP Completion Date

History

Click To Expand

< >