

To: The Pa Public Utility Commission Secretary
400 North Street
Harrisburg, PA 17120

From: Ross E. Schell
203 Knollwood Drive
Harrisburg, PA 17109-5515
PH# 717-651-0824
Fax# same but call First.

C-20162565671

In answer to answer From PPI's attorney dated 26 September 2016 .

First of all these are past the 10 days required to answer complaints. As per the secretary's servicing the complaint on utility. It was file 4 September 2016 To their answer does not conform to the 10 day answer period as stipulated by the secretary. They also do not conform the law that sets out the requirements for and answer **§ 5.61**

§ 1.11. Date of filing.

(a) Whenever a pleading, submittal or other document is required or permitted to be filed under this title or by statute, it will be deemed to be filed on one of the following dates:

- (1) On the date actually received in the office of the Secretary.
- (2) On the date deposited with an overnight express delivery service as shown on the express delivery receipt attached to or included within the envelope containing the document.

(3) On the date deposited in the United States Mail as shown by the United States Postal Service stamp on the envelope or noted on a United States Postal Service Form 3817 certificate of mailing. A mailing envelope stamped by an in-house postage meter is insufficient proof of the date of mailing.

(4) On the date stated on the confirmation of receipt from the Commission's electronic filing system, when the time shown is prior to 4:30 p.m. local prevailing time in the Eastern Time Zone (United States of America) and the date shown is a day on which the Commission offices are open. When a document is filed electronically when the offices of the Commission are closed, the document will be deemed to be filed at the time the offices next open.

(b) Failure to include a legible delivery receipt with a document submitted in accordance with the methods

4. On the 23 September 2016 my power went out for at least 6 minutes 3 time in a 24 hour period. I tried filing a complaint on this but the secretary keeps rejecting it. Enough said about this because nowhere in this law does it say they can interrupt my service at least 150 times over the last 12 years.

As far as a Third party power source. I live in Lower Paxton Township and they will not let me do any such thing. I do have battery back up on my phone system and my alarm clocks but other power options are to expensive for me to invest in . I do have surge suppressors on all electric out lets in my home for protection of my deivices. However there is no protection for the meter they installed outside so they might think of replacing it every time my power goes of and on because of the power serge that occurs when it comes back on. I have not complained about any device that was destroyed by the third world electric service I receive form PPL to the 1st world technology I have in my house. But if they need and example my 3200 dollar fridge which was surge suppressed did go out because of the power failures I am experiencing its board burnt out because the surge suppressor

could not handle the surge in electricity that came in to my house after one of these interruptions.

66 § 1501. Character of service and facilities.

Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. Such service also shall be reasonably continuous and without unreasonable interruptions or delay. Such service and facilities shall be in conformity with the regulations and orders of the commission. Subject to the provisions of this part and the regulations or orders of the commission, every public utility may have reasonable rules and regulations governing the conditions under which it shall be required to render service. Any public utility service being furnished or rendered by a municipal corporation beyond its corporate limits shall be subject to regulation and control by the commission as to service and extensions, with the same force and in like manner as if such service were rendered by a public utility. The commission shall have sole and exclusive jurisdiction to promulgate rules and regulations for the allocation of natural or artificial gas supply by a public utility.

5 the relief I wrote on this complaint may be wrong but I deserve some kind of compensation due to the fact that I was paying for electric service that violated the law. And inconvenienced my family really bad.

And if they want this complaint rejected they should file and objection of another type petitions for these complaints.



Ross E. Schell

§ 56.71. Interruption of service.

A public utility may temporarily interrupt service when necessary to effect repairs or maintenance; to eliminate an imminent threat to life, health, safety or substantial property damage; or for reasons of local, State or National emergency.

(1) *Interruption with prior notice.* When the public utility knows in advance of the circumstances requiring the service interruption, prior notice of the cause and expected duration of the interruption shall be given to customers and occupants who may be affected.

(2) *Interruption without prior notice.* When service is interrupted due to unforeseen circumstances, notice of the cause and expected duration of the interruption shall be given as soon as possible to customers and occupants who may be affected.

(3) *Notification procedures.* When customers and occupants are to be notified under this section, the public utility shall take reasonable steps, such as personal contact, phone contact and use of the mass media, to notify affected customers and occupants of the cause and expected duration of the interruption.

(4) *Permissible duration.* Service may be interrupted for only the periods of time as are necessary to protect the health and safety of the public, to protect property or to remedy the situation which necessitated the interruption. Service shall be resumed as soon as possible thereafter.

Character of service and facilities.

Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all

such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. Such service also shall be reasonably continuous and without unreasonable interruptions or delay. Such service and facilities shall be in conformity with the regulations and orders of the commission. Subject to the provisions of this part and the regulations or orders of the commission, every public utility may have reasonable rules and regulations governing the conditions under which it shall be required to render service. Any public utility service being furnished or rendered by a municipal corporation beyond its corporate limits shall be subject to regulation and control by the commission as to service and extensions, with the same force and in like manner as if such service were rendered by a public utility. The commission shall have sole and exclusive jurisdiction to promulgate rules and regulations for the allocation of natural or artificial gas supply by a public utility.

Cross References. Section 1501 is referred to in sections 102, 1353, 2205, 2207, 2807 of this title.

§ 5.61. Answers to complaints, petitions, motions and preliminary objections.

(a) *Time for filing.* Unless a different time is prescribed by statute, the Commission, or the presiding officer, answers to complaints and petitions shall be filed with the Commission within 20 days after the date of service.

(1) Answers to motions shall be filed within the 20 days provided by §§ 5.102 and 5.103 (relating to motions for summary judgment and judgment on the pleadings; and motions).

(2) Answers to preliminary objections shall be filed within the 10 days provided by § 5.101 (relating to preliminary objections).

(b) *Form of answers to complaints.* The answer must be in writing and: (1) Set forth in paragraphs numbered to correspond with the complaint. (2) Advise the parties and the Commission as to the

Certificate Of Service

I do hereby certify that I have that this 30 day of September I have served a True and correct copy of the answer to PPL's Answer to complaint Upon the person and manner Set Forth .

Via Fax Answer 30 September 2016

Kimberly Krupka

33 7th street P.O. box 4060

Allentown Pa 18105

The Honorable Jeffery A. Watson

Piatt Place

Suite 200

301 5th Avenue

Pittsburg, Pa 15222



Ross E Schell

nature of the defense. (3) Admit or deny specifically all material allegations of the complaint. (4) State concisely the facts and matters of law relied upon.

(5) Include a copy of a document, or the material part of a document when relied upon in the answer. If the writing or a copy is not available, the answer must set forth that the document is not available and the reason, and set forth the substance of the document.

(c) *Failure to file an answer to a complaint.* A respondent failing to file an answer within the applicable period may be deemed in default, and relevant facts stated in the pleadings may be deemed admitted.

(d) *Answers to complaints in rate proceedings.* For complaints which are docketed with Commission-instituted rate proceedings, an answer may be filed within 10 days of date of service. However, an answer is not required, except as may be directed by the Commission or the presiding officer.

(e) *Form of answers to petitions.* The answer must be in writing and:

(1) Advise the parties and the Commission of the parties' position on the issues raised in the petition.



Kimberly G. Krupka

33 S. Seventh Street, P.O. Box 4060
Allentown, PA 18105
610/820-5450 • 610/820-6006
kkrupka@grossmcginley.com

ATTORNEYS

MALCOLM J. GROSS
PAUL A. MCGINLEY
HOWARD S. STEVENS
DONALD LaBARRE, JR.
J. JACKSON EATON, III
MICHAEL A. HENRY
PATRICK J. REILLY
ANNE K. MANLEY
SUSAN ELLIS WILD*
VICTOR F. CAVACINI
THOMAS E. REILLY, JR.
STUART T. SHMOOKLER
JAMES A. RITTER
JOHN F. GROSS
ALLEN I. TULLAR
RAYMOND J. DeRAYMOND
THOMAS A. CAPEHART
KIMBERLY G. KRUPKA
KIMBERLY A. SPOTTS-KIMMEL
LOREN L. SPEZIALE**†
CHARLES J. FONZONE
JENNIFER L. WEED ΔΔ
SAMUEL E. COHEN*
ADRIAN K. COUSENS*
MICHAEL J. BLUM* *
GRAIG M. SCHULTZ*
ZACHARY R. FOWLER
NICOLE J. O'HARA*
CHRISTOPHER W. GITTINGER
CONSTANCE K. NELSON
DANIEL A. PRESTOSH
SARAH K. HART*
SARAH M. JOLLY

Of Counsel:
THE HON. JOHN P. LAVELLE (Ret.)
MARIANNE S. LAVELLE

*Also admitted in NY
*Also admitted in NJ
*Also admitted in DC
*Also admitted in MD
*Also admitted in MA
ΔΔ Also admitted in TX
*Also admitted in NM

Allentown Office:
33 S. Seventh Street
P.O. Box 4060
Allentown, PA 18105
Phone: 610/820-5450
Fax: 610/820-6006

Easton Office:
101 Larry Holmes Drive, Suite 202
Easton, PA 18042
Phone: 610/258-1506
Fax: 610/258-0701

Emmaus Office
111 East Harrison Street, Suite 2
Emmaus, PA 18049
Phone: 610/967-1030
Fax: 610/967-0622

Lehighon Office
415 Mahoning Street
Lehighon, PA 18235
Phone: 610/377-0500

September 26, 2016

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

RE: Ross E. Schell v. PPL Electric Utilities Corporation
Docket No: C-2016-2565671

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter is the Answer on behalf of PPL Electric Utilities Corporation.

Please note that this filing was eFiled with the Commission on the date indicated above.

Very truly yours,

KIMBERLY G. KRUPKA

KGK/ejm
Enclosure

cc: **Ross E. Schell (w/enc.)**
Amy M. Bellizia (w/enc.) *via email only*
Kimberly R. Hanson (w/enc.) *via email only*

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROSS E. SCHELL,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. C-2016-2565671

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation (PPL Electric), by its attorney, hereby Answers Complaint in the above-captioned proceeding as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied. PPL Electric denies that Complainant is experiencing reliability, safety, or quality problems with his electric service. Complainant has not experienced an outage greater than five minutes since July 11, 2014. A momentary interruption of service, specifically, interruptions less than even one minute, do not constitute experiencing reliability, quality, or safety issues when such occurs sporadically. Pursuant to Tariff Rule 4.F.1, the company shall use reasonable diligence to preserve continuity of service, but in the event of interruption or curtailment of service, the company shall not be subject to any liability, penalty, or payment for or on account of any such interruption or curtailment nor shall the application of the rate schedule to the regular billing period be affected. As stated in Tariff Rule 5.A., interruption of service in variation and supply characteristics can occur. To prevent unlimited damage from

such events it is the customers' responsibility to purchase and install protective devices and/or install or otherwise provide for alternative power supplies that are not available from third parties to protect customers' facilities and property. All other allegations are denied.

5. Paragraph 5 constitutes a request for relief to which no Answer is required. To the extent a response is required PPL Electric incorporates by reference herein the averments set forth in its Answer to Paragraph 4 of the Complaint.

6. No response of answering Respondent is required, as the allegations of this paragraph do not pertain to answering Respondent.

7. Admitted.

WHEREFORE, in view of the foregoing, PPL Electric respectfully requests that the Commission deny the above-captioned Complaint.

Respectfully submitted,

GROSS MCGINLEY, LLP



BY: _____

KIMBERLY G. KRUPKA, ESQUIRE
Attorney for Respondent, PPL Electric Utilities Corporation

Dated: 09/28/16
In Allentown, Pennsylvania

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROSS E. SCHELL,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. C-2016-2565671

CERTIFICATE OF SERVICE

This is to certify that the ANSWER on behalf of PPL ELECTRIC UTILITIES CORPORATION was mailed to counsel/complainant of record on behalf of Respondents by First Class United States Mail, postage on this the 28th day of September, 2016

ROSS E. SCHELL
203 KNELLWOOD DR
HARRISBURG PA 17109

GROSS MCGINLEY, LLP

Kimberly G. Krupka

By: _____

KIMBERLY G. KRUPKA, ESQUIRE
I.D. # 83071
Counsel for Defendant, PPL Electric Utilities
Corporation
33 South 7th Street, P.O. Box 4060
Allentown, PA 18105
Phone (610) 820-5450

00899754.DOCX

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)
: SS
COUNTY OF LEHIGH)

I, Christopher Cardenas, hereby state 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 falsification to authorities).

Christopher Cardenas

Date: 9/28/16