

FOR SERVICE FROM THE DATE OF THE BCS DECISION UNTIL THE DATE ON WHICH THE COMMISSION ENTERS ITS ORDER. 66 Pa. C.S. §§1405(f), 1406(a) & 1410(2).

4. At the hearing, the customer must be prepared to testify about and document the total gross monthly income of the household. A household includes all adults living in a residential household, who benefit from the utility service. The "total gross monthly income of the household" includes, but is not limited to, the following income received by every person residing in the customer's home: (a) the "before taxes or other deductions pay" from salaries, wages, tips or other compensation; (b) pension, retirement or social security benefits; (c) Supplemental Security Income ("SSI"); (d) unemployment compensation benefits; (e) workers' compensation benefits; (f) alimony; (g) support; (h) public assistance; and (i) any other source(s) of income. 66 Pa. C.S. §1403.

5. The Pennsylvania Legislature added Chapter 14 to the Public Utility Code, 66 Pa. C.S. §§1401, *et seq.*, which became effective December 14, 2004. Chapter 14 applies to your case and may result in new payment terms, which may be less favorable than those you currently have.

a. For instance, the length of any payment agreement you had with the utility may change. Depending upon how your gross monthly household income and the number of people living in your household relate to the federal poverty level, the length of time you have to pay off the entire balance owed on your account may be anywhere from less than six (6) months to no more than sixty (60) months. 66 Pa. C.S. §1405(b).

b. The Commission has no authority to negotiate or approve any payment agreement involving your participation in this utility's Customer Assistance Program ("CAP"). 66 Pa. C.S. §1405(c).

c. Unless you have had a change in income, the Commission can not establish or direct the utility to establish a second or subsequent payment agreement, if you have failed to make all payments under an earlier payment agreement with the utility. 66 Pa. C.S. §1405(d).

d. Depending upon the level of your gross monthly household income, it may be easier for the utility to terminate your service in the winter months. Regardless of your income level, the utility can terminate your service in the winter months if you used service that was not authorized, if you misrepresented your identity to obtain service, if you tampered with meters or other utility equipment or if you violated the utility's tariff to the extent that it endangered the safety of a person or the integrity of the utility's delivery system. 66 Pa. C.S. §1406.

e. There also are stricter provisions regarding reconnection fees, security deposits and payments to restore service. 66 Pa. C.S. §1407.

6. At the hearing, the customer must be prepared to testify about and document any change in income that would support establishing a second or subsequent payment agreement if the customer has missed a payment on a previous payment agreement or any significant change in circumstance that would support extending the time period for a payment plan. 66 Pa. C.S. §1405(d) & (e).

7. The utility must prepare and submit the following documents at least one week before the hearing: (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less; (b) a service usage comparison report for the same period as the account statement; (c) a copy of the most recent BCS decision, if any; and (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

8. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Only the undersigned Administrative Law Judge or OALJ Scheduling Staff may grant a request for a change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent hearings, if any, should also be served directly on me.

9. **YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.** 52 Pa. Code §5.245.

10. **ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.** 52 Pa. Code §§1.1, *et seq.*

11. Commission policy is to encourage settlements. 52 Pa. Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

Date: June 22, 2006


John H. Corbett, Jr.
Administrative Law Judge

SERVICE LIST: C-20066226

Stephen T Kelley
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Pittsburgh, PA 15227

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Duquesne Light Company
411 7th Avenue, Mail Drop 8-2
Pittsburgh, PA 15219



Duquesne Light
Our Energy. Your Power

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Regina M. Sestak
Assistant General Counsel

August 2, 2006

**DOCUMENT
FOLDER**

Administrative Law Judge John H. Corbett, Jr.
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

VIA FAX: 412/565-5692

RE: Stephen T. Kelley v. Duquesne Light Company, Docket No. C-20066226

Dear Judge Corbett:

This letter will confirm that, in negotiations that took place off the record during today's hearing, the parties reached the following settlement:

Duquesne Light Company agreed to re-instate the payment agreement of regular budget bills plus \$288.00 toward the account balance that it made with Complainant Stephen T. Kelley on March 10, 2006, provided that Stephen T. Kelley bring that arrangement current by paying to Duquesne Light Company \$1,000.00 (one-thousand dollars) no later than August 30, 2006, and an additional \$1,200.00 (twelve-hundred dollars) no later than September 30, 2006, after which he will pay his regular budget bill plus \$288 monthly beginning with the bill due in October, 2006.

Complainant acknowledged on the record that this payment agreement satisfies his complaint.

Sincerely,

Regina M. Sestak
Attorney for Duquesne Light Company

c: Stephen T. Kelley (via first-class mail)

DOCKETED
AUG 15 2006

CSM
AUG 15 2006

Chapter 56 Hearing Report

Please check those blocks which apply

| | | | | |
|----------------|---|-------------------------|---|-------------------------------------|
| Docket No.: | C-20065226 | | YES | NO |
| Case Name: | Stephen T. Kelley v. Duquesne Light Company | Prehearing Held: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Location: | Pittsburgh | Hearing Held: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | August 2, 2006 | Testimony Taped: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Special Agent: | ALJ John H. Corbett, Jr. | Transcript Due: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | Hearing Concluded: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | Further Hearing Needed: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | Estimated Add'l Days: | | |
| | | RECORD CLOSED: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | DATE: | 8-2-06 | |
| | | Briefs to be Filed: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | DATE: | | |
| | | Bench Decision: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | REMARKS: | Parties settled at hearing. I will send memo to clear docket. | |

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.

| Name and Telephone Number | Address | Who are you representing? |
|---|--|---------------------------|
| Stephen T. Kelley Telephone: 412-881-8096 | 4460 East Barfind Drive City: Pittsburgh State: PA Zip: 15227 | Complainant pro se |
| Regina M. Sestak, Esq. Telephone: 412-393-1546 | 411 7 th Avenue, Mail Drop 8-2 City: Pittsburgh State: PA Zip: 15219 | Respondent |
| Telephone: _____ | City: _____ State: _____ Zip: _____ | Fax Number: _____ |

Check this box if additional parties or attendees appear on back of form.

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: August 4, 2006
SUBJECT: C-20066226 Stephen T. Kelley v. Duquesne Light Company
TO: Wanda Zeiders
Docket Management
FROM: Susan Licon, ALJ Support Staff
Office of Administrative Law Judge

On August 2, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ John H. Corbett, Jr.
Beth Plantz
Case File

DOCUMENT
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DOCKETED
AUG 15 2006