

CAPTION SHEET

MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 09/14/04
8. DOCKET NO: F-01596551	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: LEWIS, KEVIN

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY:

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WOULD LIKE THE CHARGES ERASED OR AT LEAST 1/2 OF THEM DEDUCTED, AS HE STATED THIS WAS NOT HIS ERROR. HE IS ALSO UNABLE TO PAY ANY EXTRA MONIES AT THIS TIME DUE TO MEDICAL ISSUES IN HIS HOUSEHOLD.

DOCUMENT
FOLDER

DOCKETED
SEP 16 2004

ORIGINAL

BCS1596551
Due back 9/14/04

Pennsylvania Public Utility Commission

Formal Complaint Form

Please Print.

F-015965.51

1. Your name, mailing address, telephone number and utility account number:

Name Kevin Lewis

Street/P.O.Box 14 Beech St Apt # _____

City Carbondale State PA Zip 18407

Area Code/HOME Phone 570-282-2287 Area Code/WORK Phone 570-814-2453

Utility Account Number _____

If the above mailing address differs from the address where the utility service is provided, list this information below.

RECEIVED

SEP 14 2004

Name _____

Street/P.O. Box _____

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

City _____ State _____ Zip _____

2. Name of utility company your complaint concerns: PPL

3. Type of Utility (circle one):

GAS

WATER

MOTOR CARRIER

STEAM HEAT

ELECTRIC

SEWER

TELEPHONE - (LOCAL OR LONG DISTANCE)

4. What is your complaint? (Use additional paper if you need more space and provide copies of any relevant documentation you believe will support your complaint).

-The PPL meter broke and I had called + reported this to them they stated at that time the meter was there properly + not to touch it. They never came out to fix it. I was paying the bill they sent me every month on-time + now are sending me an outrageous bill backdated. I feel this is not my responsibility as I did report the problem (which they have noted) it was their responsibility to have serviced the meter to have it working properly. I feel I should not be responsible for their error. 72

5. What do you want the Public Utility Commission to do about your complaint?
(Use additional paper if you need more space).

I would like the charges erased or atleast 1/2 of them deducted, as I stated this was not my error and am unable to pay any extra monies at this time due to medical issues in my household.

6. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Kimi Kuni
Signature

9-13-04
Date

7. If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

8. Mail to:

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

If you have additional questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

NOTIFICATION OF INTENT TO APPEAL
(Request For Formal Complaint Forms)

2004 AUG 23 12:20

Notice to Customer:

SECRET

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: August 3, 2004. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments, or the utility company may pursue the termination of your service.

Thank You.
Pennsylvania Public Utility Commission

Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

KEVIN LEWIS
1160 LUZERNE STREET
SCRANTON PA 18504

(570) 282-2287
(Area Code) Telephone Number

Kevin Lewis
Signature

Mail this completed form to:

SECRETARY
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265
HARRISBURG, PA 17105-3265

FOR OFFICE USE ONLY	
BCS Number: 1596551	Date of mailing: August 3, 2004
Company: PPL ENERGY	

KL/ISED 11/97



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

AUGUST 25, 2004

BCS1596551

KEVIN LEWIS
1160 LUZERNE STREET
SCRANTON PA 18504

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before September 14, 2004 to the address listed below:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.

- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

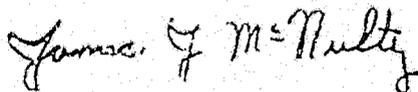
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty
Secretary

ddi

CC: PPL ELECTRIC

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: SEPTEMBER 17, 2004

KEVIN LEWIS
Complainant

VS.

PPL ELECTRIC UTILITIES
CORPORATION
Respondent

Complaint Docket
No: F-01596551

DOCUMENT
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DOCKETED
SEP 16 2004

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PPL ELECTRIC UTILITIES CORPORATION

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

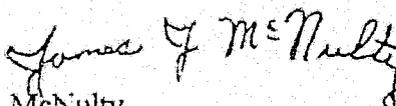
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

DATE SERVED: SEPTEMBER 17, 2004

F-01596551

PPL ELECTRIC UTILITIES CORPORATION
PAUL E RUSSELL, GEN COUNSEL
TWO N 9TH ST
ALLENTOWN PA 18101-1179

DOCUMENT
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Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by KEVIN LEWIS. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

SEPTEMBER 17,

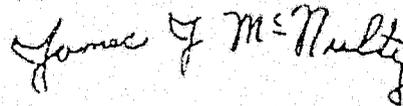
2004

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,



James J. McNulty
Secretary

JH

Mitchell
Gallagher

Attorneys at Law

2004 OCT 13 11:10:19

SECRET

J. Nease Mitchell (1919-1996)

C. Edward S. Mitchell
Robert A. Gallagher
Gary L. Weber
Bret J. Southard
Darryl R. Wishard

Email: glw@mngvsw.com

October 7, 2004

James McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

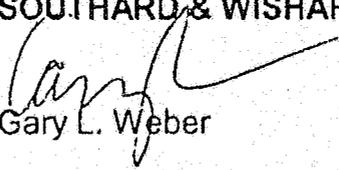
RE: Kevin Lewis v. PPL Electric Utilities
Corporation
Docket No. F-01596551

Dear Secretary McNulty:

Enclosed please find an original and three photocopies of the Answer of PPL Electric Utilities to Formal Complaint of Kevin Lewis for filing in the above-captioned case.

Very truly yours,

MITCHELL MITCHELL GALLAGHER WEBER
SOUTHARD & WISHARD, P.C.


Gary L. Weber

GLW:bgh

Enclosures

pc w/enc: Kevin Lewis
Deidre Bilger

DOCUMENT
FOLDER

Mitchell Mitchell Gallagher Weber Southard & Wishard P.C.

www.mngvsw.com

10 West Third Street, Williamsport, Pa. 17701-6513
(570) 323-8404 Fax (570) 323-8585

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: September 17, 2004

2004 OCT 13

KEVIN LEWIS,
Complainant

:
: Complaint Docket
: No. F-01596551

SECRET

vs.

PPL ELECTRIC UTILITIES
CORPORATION,
Respondent

DOCKETED
OCT 26 2004

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO FORMAL
COMPLAINT OF KEVIN LEWIS

1. Admitted.
2. Denied as stated; the correct name of the Respondent is PPL Electric Utilities Corporation ("PPL").
3. Admitted.
4. Admitted that PPL's meter stopped recording kWh usage for Complainant's property in or about September, 2000.

Denied that Complainant called PPL to report the stopped meter. To the contrary, the stopped meter was discovered by PPL in or about December 2003 by a PPL investigator.

Admitted that PPL did not fix the meter. By way of further answer, on or about December 18, 2003, PPL replaced the stopped meter with a new meter.

Admitted that Complainant, for the most part, made timely payments of monthly bills rendered from September 2000 through December 2003. By way of further answer, said bills were always in the minimum amount ranging from \$6.42 to \$6.63. In addition, Complainant has failed to make regular, timely payments of bills rendered

DOCUMENT
FOLDER

since the meter was replaced in December 2003.

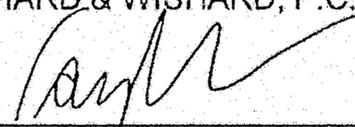
Admitted that PPL has back billed Complainant for electric service he used between September 29, 2000 and December 18, 2003. Denied that said bill was outrageous; to the contrary, said bill was only for electricity that Complainant used during the period in question.

Admitted that Complainant's was not responsible for the meter stopping. By way of further answer, PPL is entitled to bill for previously unbilled electric service resulting from meter failure pursuant to 52 Pa. Code Section 56.14 and pursuant to Rule 9 of PPL's tariff. Under the aforesaid provisions, Complainant is required to pay for electric service that he used under circumstances where the meter failed.

5. This is a request for relief to which no response is required. To the extent any response is required, it is denied that Complainant is entitled to the relief requested.

WHEREFORE, PPL Electric Utilities Corporation requests the Commission to deny the relief requested by Complainant and to dismiss the Complaint.

MITCHELL MITCHELL GALLAGHER WEBER
SOUTHARD & WISHARD, P.C.

BY: 

Gary L. Weber
Attorney for Respondent
10 West Third Street
Williamsport, PA 17701
(570) 323-8404
(570) 323-8585 - FAX
glw@mmgsw.com

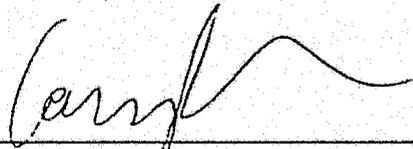
ID #37648

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of Section 1.54 (relating to service by a participant).

Kevin Lewis
14 Beech Street
Carbondale, PA 18407

Dated this 7th day of October, 2004.



Gary L. Weber
Counsel for PPL Electric Utilities Corporation

SECRET

10/07/04

10/07/04