

CAPTION SHEET

CASE 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: 02/22/06
8. DOCKET NO: C-20065908	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: FABIANI, VINCENT J.

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: SCHUYLKILL

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT OVER THE LAST SEVERAL YEARS THEIR POWER HAS GONE OFF 4 TIMES FOR AT LEAST 12 TO 15 HOURS. HE FEELS THAT THE ENTIRE CABLE SHOULD BE REPLACED WITH A NEW MODERN CABLE THAT IS BEING USED TODAY.

DOCUMENT
FOLDER

DOCKETED
FEB 24 2006

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

SECRETARY OF REVENUE

2005 FEB 22 PM 9:23

C-20065908

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Vincent J. Fobiwj

Street/P.O. Box 664th Ave W.W. TERRACE Apt # _____

City Pottsville State PA Zip 17901

County Schuylkill

Area Code/HOME Phone 570-544-2867

Area Code/WORK Phone 570-662-7290

Utility Account Number 75780-42008
(from your bill)

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

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PPL

3. TYPE OF UTILITY (check one)

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

29

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Over the last several years our power has gone off 4 times for at least 12 to 15 hours. Two of these times it happened within the last 6 months.

5. RELIEF

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

The underground cable has been in the ground for about 30 yrs. Crews have said that this type of cable is outdated and is no longer used. P&S crews that have been here said that the cable has deteriorated to the point that it should be replaced. Every time they have come here for a power outage they have been repairing what they did before. They have dug up our driveway twice. We feel that the entire cable should be replaced with a new modern cable that is being used today.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES

(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I VINCENT J. FABIANI 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).

Vincent J. Fabiani
(Signature)

2/20/06
(Date)

9. **LEGAL REPRESENTATION (IF ANY)**

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 _____

10. **FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
--	--

Facsimiles and/or electronic filings of the complaint form will not be accepted.

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

Keep a copy of your complaint for your records.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: FEBRUARY 27, 2006

VINCENT J. FABIANI
Complainant

v.

PPL ELECTRIC UTILITIES CORPORATION
Respondent

Complaint Docket
No: C-20065908

DOCUMENT
FOLDED

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PPL ELECTRIC UTILITIES CORPORATION

TAKE NOTICE:

DOCKETED
FEB 27 2006

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).

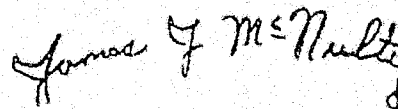
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: FEBRUARY 27, 2006

C-20065908

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

DOCUMENT
FOLDER

Dear Mr. Russell:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by VINCENT J. FABIANI. 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.

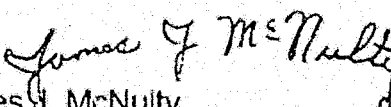
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

FEBRUARY 27, 2006

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

JIH

ORIGINAL

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS
PAUL A. MCGINLEY
DONALD LABARRE, JR.
J. JACKSON EATON, III
MICHAEL A. HENRY
PATRICK J. REILLY
WILLIAM J. FRIES
ANNE K. MANLEY
SUSAN ELLIS WILD
VICTOR F. CAVACINI
ROBERT A. ALPERT
JOHN P. SERVIS
ALLEN I. TULLAR
RICHARD T. CURLEY
RAYMOND J. DERAYMOND

ATTORNEYS AT LAW
33 SOUTH SEVENTH STREET
P.O. BOX 4060
ALLENTOWN, PENNSYLVANIA 18105-4060

(610) 820-5450
TELEFAX (610) 820-6006
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JOHN F. GROSS
KIMBERLY G. KRUPKA
K. A. SPOTTS-KIMMEL
ERROL C. DEANS, JR. *
ANDREW H. RALSTON, JR.
LOREN A. WALMER

OF COUNSEL
DAVID C. KEEHN

*Also admitted in NY

EASTON OFFICE:
717 WASHINGTON ST
EASTON PA 18042
(610) 258-1506

March 20, 2006

RECEIVED

MAR 20 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA FEDERAL EXPRESS

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

RE: Vincent J. Fabiani v. PPL Electric Utilities Corporation
Docket No. C-20065908

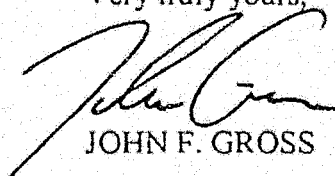
Dear Mr. McNulty:

Enclosed for filing in the above-captioned matter are an original and three (3) copies of the Answer of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §111, the enclosed document is to be deemed filed on March 20, 2006, which is the date it was deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

In addition, please date and time-stamp the enclosed extra copy of this letter and return it to me in the envelope provided.

Very truly yours,



JOHN F. GROSS

DOCUMENT FOLDER

IFG/jeh

Enclosure

cc: Vincent J. Fabiani (w/ enc.)

Deidre L. Bilger (w/ enc.)

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION MAR 20 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

VINCENT J. FABIANI,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065908

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION

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

1. Admitted.
2. Admitted.
3. Admitted.

DOCKETED
MAR 28 2006

DOCUMENT
FOLDER

4. Admitted in part and denied in part. PPL admits that since April of 2005, there have been two (2) outages at Vincent J. Fabiani's ("Complainant") property. PPL denies that Complainant has experienced unusual or frequent power outages. By way of further answer, PPL admits that a section of underground cable failed on one (1) section of radial underground cable in the area of the development where the Complainant lives on February 5, 2006 at 4:41 a.m. The faulty section of cable was located, dug up and repairs were made with service being restored at 1:40 p.m. on February 5, 2006. PPL further admits that on April 25, 2005, a section of underground cable failed and that repairs were made and service was restored later in the day on April 25, 2005.

By way of further answer, the network-like nature of the underground electrical cables makes it impossible to isolate any one customer from outages elsewhere on the grid. Therefore, although the Complainant should no longer be experiencing interruptions due to failures on the sections of cable that have been replaced, failures in other parts of the development may affect the Complainant's service.

By way of further answer, the entire sections of cable that recently failed are scheduled for replacement and PPL will replace them along with a third section of cable that was installed in 1983. Two (2) additional sections of cable on this underground tap will be tested to determine the condition of the cable and then PPL will determine a course of action for those sections. The engineering to replace the sections of cable will begin within the next three (3) weeks and PPL anticipates that construction will be complete in approximately four (4) months time. Should testing indicate that additional sections of cable require replacement, the aforementioned time frame will most likely be extended.

PPL is without information sufficient to form a belief as to the remainder of the allegations set forth in paragraph 4 of Complainant's Complaint. Therefore all such allegations are denied.

PPL denies that it has been unreasonable or failed to provide adequate service to the Complainant and denies it has violated any provision of its Tariff or Regulation of the Public Utility Commission.

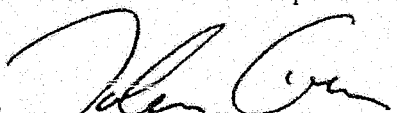
5. Denied. Paragraph 5 constitutes a request for relief to which no response is required. To the extent a further response may be required, PPL incorporates herein by

reference, as if set forth fully at length, its aforementioned response to paragraph 4 of the Complaint.

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

Respectfully submitted,

PPL Electric Utilities Corporation

By: 
JOHN F. GROSS

Dated: March 20, 2006
at Allentown, Pennsylvania

VERIFICATION

RECEIVED

COMMONWEALTH OF PENNSYLVANIA)
: SS
COUNTY OF LEHIGH)

MAR 20 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

I, Robert M. Geneczko, 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).

Robert M. Geneczko

Date: MARCH 20, 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VINCENT J. FABIANI,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065908

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MAR 20 2006

CERTIFICATION OF SERVICE

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

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

Vincent J. Fabiani
66 4th Ave., W. W. Terrace
Pottsville, PA 17901

Dated this the 20th day of March, 2005.

GROSS, MCGINLEY, LABARRE & EATON, LLP

By: 

JOHN F. GROSS, ESQUIRE
Attorney for PPL Electric Utilities Corp.
33 South 7th Street, P.O. Box 4060
Allentown, PA 18105-4060
(610) 820-5450
I.D. #82079